

SUPR EME COUR T OF I N D I A  
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 486 OF 2009

SUNITHA JAIN Petitioner(s)

VERSUS

B.JAYAPRAKASH JAIN Respondent(s)

(With appln(s) for stay and office report)

Date: 29/09/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. D. Mahesh Babu,Adv.

For Respondent(s) Mr. G.V.R. Choudary, Adv.

Mr. K. Shivraj Choudhuri,Adv.

UPON hearing counsel the Court made the following  
ORDER

The transfer petition is allowed in terms of the  
signed order.

(Pawan Kumar)

(Shashi Bala Vij)

AR-CUM-PS

Court Master

(signed order is placed on the filed)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.486 OF 2009

SUNITHA JAIN  
PETITIONER

...

VERSUS

B. JAYAPRAKASH JAIN  
RESPONDENT

...

ORDER

The petitioner-wife has filed this petition for transferring the Divorce Petition filed by the husband from the Family Court, Hyderabad to Family Court, Bangalore where the wife's petition for restitution of conjugal rights is pending. The respondent has opposed the transfer.

Having regard to the fact that the wife's petition for restitution of conjugal rights is already pending before the Court at Bangalore and the fact that she is residing at Bangalore with her six year old son and the hardship involved in travelling to Hyderabad, we deem it a fit case for transfer.

Accordingly, we allow the transfer petition and direct that Divorce Petition FC OP No.146 of 2007 titled B. Jayaprakash Jain vs. Smt. Sunitha Jain pending before the Family Court, Hyderabad be transferred to the Family Court at Bangalore.

The petitioner has made several allegations in the petition on the merits which does not have relevance for the purpose of the prayer for transfer. This order shall not be considered as expression of any opinion on the merits.

.....J.  
( R.V. RAVEENDRAN )

.....J.  
( ASOK KUMAR GANGULY )

NEW DELHI,  
SEPTEMBER 29, 2009.