

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 576 OF 2011

ASHA SONI Petitioner(s)

VERSUS

TINU SONI Respondent(s)

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

Date: 02/09/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Hasbuddin.Adv.
Mr. K.K. Gautam,Adv.
Mr. Arun Kumar Beriwal,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

In terms of the signed order, the Transfer Petition is allowed and case C.M. (Matrimonial) Case No.325/2010 titled as "Tinu Soni vs. Asha Soni" pending before the Court of District Judge, Bharatpur, Rajasthan is ordered to be transferred to District Judge, Tis Hazari, Delhi who shall either hear the matter himself or assign it to the Family Court of competent jurisdiction at Delhi.

(O.P. Sharma) (M.S. Negi)
Court Master Court Master
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.576 OF 2011

ASHA SONI ..PETITIONER

VERSUS

TINU SONI ..RESPONDENT

O R D E R

This petition is filed by the wife seeking transfer of petition for dissolution of marriage filed by the husband, under Section 13 of the Hindu Marriage Act, from the Court of District Judge, Bharatpur, Rajasthan to the District Judge, Delhi. The petitioner alleges that she is living in Delhi with her two minor children; that the respondent is already facing the trial in Delhi in the

petition under Section 125 Cr.PC filed by her as well as complaint case under section 12 of PWDV Act; that there is no one in the family of the petitioner who can look after her school going two minor children, if the petitioner has to attend the Court at Bharatpur; and that there is also no one in the family to accompany her to Bhartapur.

2. Defendant though served has not entered appearance. On the facts and circumstances, we consider this a fit case for transfer.

3. Accordingly, the Transfer Petition is allowed and case C.M.(Matrimonial) Case No.325/2010 titled as "Tinu Soni vs. Asha Soni" pending before the Court of District Judge, Bharatpur, Rajasthan is ordered to be transferred to District Judge, Tis Hazari, Delhi who shall either hear the matter himself or assign it to the Family Court of competent jurisdiction at Delhi.

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

.....J.
(A.K. PATNAIK)

NEW DELHI,
SEPTEMBER 2, 2011.