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T.P.(C) No. 569 OF 2004
ITEM No.33

Court No. 5

SECTION XVIA
A/N MATTER

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.569/2004

SARBANI TIKADAR

Petitioner (s)

VERSUS

NIRMALKANTI TIKADAR & ANR.
(With Appln(s). for stay and Office Report)

Respondent (s)

Date : 11/02/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Bijan Kumar Ghosh,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

The Transfer Petition is allowed in terms of the signed order.

(K.K.Chawla)
Court Master

(Jasbir Singh)
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.569 OF 2004

SARBANI TIKADAR

Petitioner (s)

VERSUS

NIRMALKANTI TIKADAR & ANR.

Respondent (s)

O R D E R

This is wife's Petition for transfer of the Matrimonial proceeding, H.M.P. No.23 of 2004, Nirmalkanti Tikadar vs. Sarbani Tikadar & Anr., pending in the Court of Civil Judge, Senior Division at Ambajogai, District Beed, Maharashtra to the file of District Judge, Nadia, West Bengal.

The Respondents even though served remained absent on 25th November, 2004. Therefore, one final opportunity was granted to the Respondents to remain present in the matter. Today also, the Respondents are absent.

The transfer is sought by the wife on the ground that she has nobody to accompany her and that she has no financial capacity to meet the cost of travel and stay. It is also stated that there are two other cases in Nadia filed by her and the Respondents have to come to Nadia in any case.

In view of the above, we transfer Matrimonial proceeding, H.M.P. No.23 of 2004, Nirmalkanti Tikadar vs. Sarbani Tikadar & Anr., pending in the Court of Civil Judge, Senior Division at Ambajogai, District Beed, Maharashtra to the file of District Judge, Nadia, West Bengal.

The Transfer Petition is accordingly allowed.

.....J.
(S.N. Variava)

.....J.
(H.K. Sema)
New Delhi;
February 11, 2005.