

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). 492 OF 2010

PRIYA KULSHRESHTHA Petitioner(s)

VERSUS

KUMKUM KULSHRESTHA Respondent(s)

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

Date: 25/10/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr.Shantanu Sagar,Adv.
Mr. T. Mahipal,Adv.

For Respondent(s)

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

The Transfer Petition stands disposed of in terms of Signed
Order.

(Shivraj Kaur)
PS to Addl.Regr.

(Sneh Bala Mehra)
Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(Civil) No. 492 of 2010

Priya Kulshreshtha Petitioner

VERSUS

Kumkum Kulshreshtha Respondent

ORDER

By filing this petition under Section 25 of the Code of
Civil Procedure, the Petitioner has prayed to transfer case

titled as "Mrs. Kumkum Kulshreshtha vs. Mrs. Priya Kulshreshtha" being Money Suit No. 5 of 2010 pending in the Court of the Ld.Civil Judge at Tezpur, District Sonitpur, Assam to the court of learned Civil Judge, Agra, Uttar Pradesh. The matter was placed for preliminary hearing before the Court on May 13,2010 and after hearing the learned Counsel for the Petitioner, following order was passed:

"Issue notice.

There shall be stay of Money Suit No.5 of 2010 titled as Mrs.Kumkum Kulshreshtha versus Mrs. Priya Kulshreshtha pending in the Court of the Learned Civil Judge at Tezpur, District Sonitpur, Assam."

-2-

The office report dated 22/25 September,2010 indicates that service of show cause notice is complete. Though the respondent is duly served. She has not appeared either through an Advocate or in-person. This Court has heard the learned counsel for the Petitioner. In view of the grounds mentioned in paragraph 9(I) to 9(XIII), this Court is of the opinion, that good case is made by the petitioner for grant of the prayer made in the petition.

Hence, the petition succeeds. The case as titled "Mrs.Kumkum Kulshreshtha vs. Mrs.Priya Kulshreshtha" being Money Suit No. 5 of 2010 pending in the Court of the Ld.Civil Judge at Tezpur, District Sonitpur, Assam is hereby transferred to the court of the learned Civil Judge, Agra, Uttar Pradesh.

The Transfer Petition accordingly stands disposed of.

.....J

New Delhi

(J.M. PANCHAL)

Dated 25.10.2010

.....J

(H.L. GOKHALE)