

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 861 OF 2013

MEGHA MAHAJAN

PETITIONER(s)

VERSUS

KISHORE MAHAJAN

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being Case No. 192A of 2010, titled as "Kishore Mahajan vs. Megha Mahajan", from the Family Court, Ujjain, Madhya Pradesh to the Family Court, Aurangabad, Maharashtra.

2. The notice of Transfer Petition has been served on the respondent and he has filed counter-affidavit in opposition to the Transfer Petition.

3. It is not denied by the learned counsel for the respondent that the petitioner resides in Aurangabad (Maharashtra), however, he submits that substantial progress has taken place in the matrimonial case and now the petitioner is required to appear only for the purpose of her cross-examination.

4. We have perused the averments made in the Transfer Petition and so also counter-affidavit.

5. Having regard to the fact that the petitioner-wife is presently residing in Aurangabad (Maharashtra), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Ujjain (Madhya Pradesh).

6. We, accordingly, allow the transfer petition and transfer matrimonial case being Case No. 192A of 2010, titled as "Kishore Mahajan vs. Megha Mahajan", from the Family Court, Ujjain, Madhya Pradesh to the Family Court, Aurangabad, Maharashtra. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

7. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible.

The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

8. No costs.

.....J.  
( R.M. LODHA )

.....J.

NEW DELHI ;  
FEBRUARY 10, 2014.

( SHIVA KIRTI SINGH )

ITEM NO.60

COURT NO.2

SECTION XVIA

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). 861 OF 2013

MEGHA MAHAJAN

Petitioner(s)

VERSUS

KISHORE MAHAJAN

Respondent(s)

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

Date: 10/02/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Ardhendumauli Kumar Prasad, Adv.  
Mr. Ishit Saharia, Adv.  
Mr. Aviral Shukla, Adv.

For Respondent(s) Mr. Atul B. Dakh, Adv. for  
Dr. Kailash Chand, Adv.

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

Transfer Petition is allowed in terms of signed order. No  
costs.

|(Pardeep Kumar)  
|AR-cum-PS

|(Renu Diwan)  
|Court Master

[SIGNED ORDER IS PLACED ON THE FILE]