

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. 553 OF 2004

AMIT RAMENDRANATH ROY

Petitioner(s)

VERSUS

RITUSHRI AMIT ROY

Respondent(s)

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

Date: 24/01/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s)

Mr. Chanchal Kumar Ganguli, Adv.

For Respondent(s)

Ms. Anuradha Rustagi, Adv. (A.C.)

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

Transfer Petition is allowed in terms of the signed order.

(Parveen Kr. Chawla)

Court Master

[Signed order is placed on the File]

(Kanwal Singh)

Court Master

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 553 OF 2004

Amit Ramendranath Roy

.....Petitioner

- Versus -

Ritushri Amit Roy

.....

Respondent

O R D E R

Petitioner-husband has moved this petition under Section 25 of

the Code of Civil Procedure for transfer of Matrimonial Suit being P.A.

No. 518 of 2002 titled Amit Ramendranath Roy v. Ritushri Amit Roy filed by

him pending before the Family Court No. 1 at Pune, Maharashtra to the

Court of District Judge, Burdwan, to be assigned to a court of competent

jurisdiction at Durgapur. When the suit was instituted the petitioner as

well as the respondent were residing at Pune. Petitioner has been

transferred and is now living in Kolkata. According to him, respondent-

wife is now living at Durgapur.

After taking into consideration the submission made by the

counsel for the parties, we are of the opinion that a case for transfer of

the matrimonial suit has been made out. Prima facie it seems that the

respondent is living at Durgapur now. She herself has filed a number of cases at Durgapur against the petitioner. Since she is attending to the cases which have been filed by her at Durgapur, there would be no difficulty for her to attend to this case as well at Durgapur; rather it would be convenient for her to do so. Accordingly, we order the transfer of Matrimonial Suit being P.A. No. 518 of 2002 titled Amit Ramendranath Roy v. Ritushri Amit Roy pending before the Family Court No. 1 at Pune, Maharashtra to the Court of District Judge, Burdwan.

The District Judge, Pune, Maharashtra is directed to transmit the entire record related to the above-said case forthwith to the District Judge, Burdwan who on receipt of the same may assign it to a court of competent jurisdiction at Durgapur.

The Transfer Petition is allowed accordingly.

.....J.
(ASHOK BHAN)

.....J.

New Delhi;

(B.N. SRIKRISHNA)

January 24, 2005

