

1

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 671 OF 2012

BHAVANA DEVI Petitioner(s)

VERSUS

RANJIT SINGH Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial case being Petition No. 363 of 2010 titled "Ranjit Singh Vs. Bhavana Devi" pending before the Court of District Judge, Jhunjhunu, Rajasthan to an appropriate Court in Mumbai, Maharashtra.

2. Notice of the Transfer Petition has been served on the respondent. He is represented by his counsel. However, the respondent has not chosen to file any counter affidavit in opposition to the Transfer Petition. Thus, the averments contained in the Transfer Petition remain untraversed and undenied.

3. As a matter of fact, vide order dated November 23, 2012 at the request of the parties the matter was referred to the Bombay High Court Mediation Centre (for short, 'Centre'). The Centre has, however, reported that the mediation process could not succeed.

4. We have heard the learned counsel for the parties.

5. Having regard to the fact that the petitioner-wife is residing in Mumbai, Maharashtra, we are satisfied that, if the proceedings in the above case are allowed to be continued at Jhunjhunu, Rajasthan, greater hardship shall be caused to the petitioner-wife.

6. We, accordingly, allow the Transfer Petition and transfer matrimonial case being Petition No. 363 of 2010 titled "Ranjit Singh Vs. Bhavana Devi" pending before the Court of District Judge, Jhunjhunu, Rajasthan to the Family Court, Mumbai, Maharashtra. The transferrer court shall transmit the record and proceedings of the

transferred case to the transferee court without any delay.

7. The transferee court is requested to hear and decide the transferred case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the transferred case.

8. No costs.

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

NEW DELHI;J.
JULY 12, 2013 (SUDHANSU JYOTI MUKHOPADHAYA)
ITEM NO.42 COURT NO.4 SECTION XVIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

TRANSFER PETITION (CIVIL.) NO(s). 671 OF 2012

BHAVANA DEVI Petitioner(s)

VERSUS

RANJIT SINGH Respondent(s)

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

Date: 12/07/2013 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Amol Chitale, Adv.
Mr. Nirnimesh Dube, Adv.

For Respondent(s) Ms. Aishwarya Bhati, Adv.

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

Transfer Petition is allowed in terms of the signed order.

|(Rajesh Dham) | |(Renu Diwan) |
|Court Master | |Court Master |

(signed order is placed on the file)