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T.P.(C) No. 572 OF 2001
ITEM No.201

Court No. 2

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.572/2001

PRATIBHA PARTI

Petitioner (s)

VERSUS

ANIL MINOCHA

Respondent (s)

(With Appln(s). for stay and office report)(For Final Disposal)

Date : 05/12/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

Ms. Minakshi Vij., Adv. (SCLSC)

For Respondent (s)Dr. (Mrs.) Vipin Gupta, Adv.

Mr. B.S.Jain, Adv.

Mr. Ajay Veer Singh, adv.

Ms. Charu Walikhanna, Adv.

Mr. Vipin Kumar, Adv.

Mr. Vinay Mohan Sharma, Adv.

Mohd. Shahid Hussain, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is allowed in terms of the signed order placed on the file.

The parties through their respective counsel are directed to appear before the Court of District Judge, Delhi on 22nd January, 2004.

No order as to the costs.

(Ajay Kr. Jain)

(Asha Joshi)

Court Master

Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 572 OF 2001

Pratibha Parti...Petitioner

Versus

Anil Minocha...Respondent

O R D E R

The respondent-husband has filed a petition under Section 13 of the Hindu Marriage Act for seeking a decree of dissolution of marriage being Case No. 437/2001 before the Family Court at Agra, Uttar Pradesh. The wife-petitioner is residing at Delhi. This is a petition filed by the petitioner-wife seeking transfer of the abovesaid proceedings from Agra to Delhi.

Having heard learned counsel for the parties, but without expressing any opinion on the allegations and counter allegations made against one another, which are subjudice in the main proceedings, we are of the opinion that it will be for better convenience of the parties and in the interest of justice if the proceedings are directed to be transferred from Agra to Delhi. Accordingly, the transfer petition is allowed. It is directed that Case No. 437/2001 titled "Anil Kumar Minocha Vs. Pratibha Parti" pending in the Family Court at Agra, Uttar Pradesh shall stand transferred to the Court of District Judge, Delhi.

The Presiding Officer, Family Court at Agra shall, soon on communication of this order, transfer the record of proceedings in Case No. 437/2001 titled "Anil Kumar Minocha Vs. Pratibha Parti" to the Court of District Judge, Delhi, who may try the petition himself or make over the same for hearing and disposal in accordance with law to a Court of competent jurisdiction subordinate to him.

The parties through their respective counsel are directed to appear before the Court of District Judge, Delhi on 22nd January, 2004.

No order as to the costs.

.....J.

(R.C. LAHOTI)

.....J.

(ASHOK BHAN)

New Delhi,
December 05, 2003