

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). 866 OF 2012

JISS JOSE Petitioner(s)

VERSUS

JOSE MATHEW Respondent(s)

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

Date: 19/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Ms. Mary Scaria, Adv. for
Mr. P. George Giri,Adv.

For Respondent(s)

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

Transfer Petition is allowed in terms of signed order.

| (Pardeep Kumar) | | (Renu Diwan) |
| Court Master | | Court Master |

[SIGNED ORDER IS PLACED ON the FILE]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 866 OF 2012

| JISS JOSE | ... | PETITIONER(s) |

| Versus |

| JOSE MATHEW | ... | RESPONDENT(s) |

O R D E R

This is wife's petition seeking transfer of matrimonial case being H.M.A. No. 13 of 2012, Jose Mathew vs. Jiss Jose, from the court of Additional District Judge, Hoshiarpur, Punjab to the Family Court at Thodupuzha, Kerala.

2. The notice of the Transfer Petition has been served on the respondent but he has not chosen to appear and oppose the Transfer Petition and thus, the facts stated in the Transfer Petition remain untraversed and undenied.

3. Having regard to the fact that the petitioner-wife resides with her parents in Kudayathoor (Kerala), we are satisfied that greater hardship would be caused to her if the proceedings in the above matrimonial case filed by the respondent are allowed to be continued at Hoshiarpur (Punjab).

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4. We, accordingly, allow the Transfer Petition and transfer H.M.A. No. 13 of 2012, Jose Mathew vs. Jis Joss from the court of Additional District Judge, Hoshiarpur, Punjab to the Family Court, Thodupuzha, Kerala. The transferrer court shall transmit the record and proceedings pertaining to the above matrimonial case to the transferee court without any delay. No costs.

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

.....J.
(ANIL R. DAVE)

NEW DELHI
NOVEMBER 19, 2012.