

property documents allegedly belonging to the husband-respondent.

Mr. Dinesh Kumar Garg, learned counsel for the petitioner submits that the wife is not in a position to defend any of the proceedings in Kerala due to financial difficulties as well as social constraints.

Learned counsel for the respondent-husband, however, vehemently opposes the transfer of these petitions stating that the wife is deliberately trying to harass the husband, only in view of the pending proceedings between the parties. He, however, submits that even though the wishes of the wife are usually respected in civil matters while considering the transfer petitions, but the same consideration is not required in criminal cases. He further submits that if the criminal case is also transferred to Bangalore, the respondent-husband would be handicapped in that he would not be able to produce the witnesses in support of his case. There would also be language difficulty and financial constraints for the witnesses to go to Bangalore.

We have considered the submissions made by the learned counsel for the parties. We are of the opinion that the submissions made by the learned counsel for the parties are wholly without any justification. All Courts usually enjoy the facilities of official interpreters to deal with language difficulties. Further, the witnesses who are supposed to be produced by the respondent would be duly paid for attending the Court at Bangalore.

In our considered opinion, it would be in the interest of justice if all the cases are transferred as prayed for by the wife. Accordingly, all the transfer petitions are allowed, as prayed.

At this stage, Mr. Garg, learned counsel for the petitioner submits that in view of the aforesaid order, the contempt petition filed by him may be dismissed as not pressed. We order accordingly.

(SURINDER SINGH NIJJAR)J

(H.L. GOKHALE)J

New Delhi;
July 23, 2012.

ITEM NO.46

COURT NO.13

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. 530 OF 2010

LAKSHMI BHAT

Petitioner(s)

VERSUS

C.H. VENKATA KRISHNA

Respondent(s)

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

WITH

T.P.(CRL) NO. 293 of 2010

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

T.P.(C) NO. 300 of 2011

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

Date:23/07/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Dinesh Kumar Garg,Adv.
 Mr. Abhishek Garg,Adv.
 Mr. Dhananjay Garg,Adv.
 Ms. Neha Aggarwal,Adv.
 Ms. Ritu Puri,Adv.

For Respondent(s) Mr. Raghenth Basant,Adv.
 Mr. Arjun Singh Bhati,Adv.
 Mr. Senthil Jagadeesan,Adv.

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

The transfer petitions are allowed as prayed and the contempt
petition is dismissed as not pressed in terms of the signed order.

(A.S. BISHT)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER
(Signed order is placed on the file)