

to Hisar, Haryana, where the wife now resides in her parental home. It is her case that she has no source of income and is totally dependant on her father. She is, therefore, unable to meet the expenses of travelling to Bilaspur from Hisar to defend the matrimonial proceedings, besides, criminal proceedings under Section 498-A/406 of the Indian Penal Code between the parties are pending in Hisar. There is no counter.

We think that a case for transfer is made out.

..2/-

ITEM No.42

Court No. 1

SECTION XVIA
A/N MATTER

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.567/2001

MONIKA DEVGAN

Petitioner (s)

VERSUS

MANMOHAN SHARMA

Respondent (s)

(With Appln(s). for stay)
(With Office Report)

Date : 04/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

For Petitioner (s) Mr. Prem Malhotra,Adv.

For Respondent (s)

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.

.SP2

Learned counsel for the petitioner argued for a few minutes.

T.P. is allowed in terms of the signed order.

.SP1

(N.K. Goel) (Shelly Sengupta)
Court Master Court Master
(Signed order is placed on the file)

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.PL58

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 567 OF 2001@@
EE

Monika Devgan ..Petitioner

Vs.

Manmohan Sharma ..Respondent

O R D E R@@
EEEEEEEEEE

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

This is a transfer petition by the wife. The husband, respondent, has twice refused to accept service and he is not present or represented.

The wife seeks the transfer of matrimonial proceedings filed against her by the husband in Bilaspur, Himachal Pradesh to Hisar, Haryana, where the wife now resides in her parental home. It is her case that she has no source of income and is totally dependant on her father. She is, therefore, unable to meet the expenses of travelling to Bilaspur from Hisar to defend the matrimonial proceedings, besides, criminal proceedings under Section 498-A/406 of the Indian Penal Code between the parties are pending in Hisar. There is no counter.

We think that a case for transfer is made out.

..2/-

:2:

The transfer petition is allowed. The Marriage Petition [(HMA) No. 20 of 2001] pending before the District and Sessions Judge, Bilaspur, Himachal Pradesh shall stand transferred to the court of the District Judge, Hisar, Haryana, who shall hear it himself or assign it for hearing to an appropriate court.

No order as to costs.

.SP1

.....C.J.I.@@

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.....J.@@

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(K.G. BALAKRISHNAN)@@

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.....J.@@

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(BISHESHWAR PRASAD SINGH)@@
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NEW DELHI@@
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MARCH 4, 2002 @@
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