

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). 872 OF 2005

POONAM KAUSHAL

Petitioner(s)

VERSUS

PREMENDRA KAUSHAL

Respondent(s)

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

WITH T.P.(CRL) NO. 403 of 2005

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

Date: 12/02/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s) Anurag Kishore, Adv.

Mr. Rajesh Kumar, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Both the Transfer Petitions are allowed in terms of the  
signed order.

(Pardeep Kumar)  
Court Master

(Khushi Ram)  
Court Master

[ TWO SIGNED ORDERS ARE PLACED ON THE FILE ]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 872/2005

POONAM KAUSHAL

....PETITIONER

VERSUS

PREMENDRA KAUSHAL

....RESPONDENT

O R D E R

This is a petition under Section 25 of Code of Civil  
Procedure, 1908 read with Rule XXXVI of Supreme Court Rules  
seeking transfer of the petition now pending before the Family  
Court, Nainital, Uttranchal under Guardianship and Wards Act  
being Petition No. 10/2005 titled Premendra Kaushal vs. Smt.  
Poonam to a Family Court at Lucknow, U.P.

In spite of service, the respondent-husband has not  
entered appearance although he has informed the Registry of

this Court that he has no objection if the aforesaid petition is transferred to a Family Court at Lucknow, U.P. Such being the stand taken by the husband and considering the facts and circumstances of the case including the fact that a Divorce Suit No. 1049/2004 filed by the husband is already pending before the Family Court at Lucknow, we order transfer of Petition No. 10/2005 titled Premendra Kaushal Vs. Poonam Kaushal now

: 2 :

pending before the Family Court, Nainital, Uttranchal to the Family Court, Lucknow, U.P. The District Judge, Nainital, Uttranchal is directed to send the entire record relating to the aforesaid case to the Family Court, Lucknow, U.P.

The Transfer Petition is allowed accordingly.

.....J.

[ TARUN CHATTERJEE ]

.....J.

[ DALVERR BHANDARI ]

NEW DELHI

FEBRUARY 12, 2007.

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO. 403/2005

PRACHI KAUSHAL

....PETITIONER

VERSUS

PREMENDRA KAUSHAL

....RESPONDENT

O R D E R

This is a petition under Article 139A of the Constitution

of India seeking transfer of Case No. 186/2004 titled as Km.

Prachi Kaushal through her natural mother Smt. Poonam Kaushal

Vs. Prememndra Kaushal pending in the Court of Family Court,

Nainital, Uttranchal to a Family Court at Lucknow, U.P.

In spite of service, the respondent-husband has not entered appearance although he has informed the Registry of this Court that he has no objection if the above case is transferred to a Family Court at Lucknow, U.P. Such being the stand taken by the respondent-husband and considering the facts and circumstances of the case including the fact that a Divorce Suit No. 1049/2004 filed by the husband is already pending before the Family Court at Lucknow, we order transfer of Case No. 186/2004 titled Km. Prachi Kaushal through her natural mother Smt. Poonam Kaushal Vs. Prememndra Kaushal now pending before the Family Court, Nainital, Uttranchal to the Family Court, Lucknow, U.P. The District Judge, Nainital,

Uttranchal is directed to send the entire record relating to the  
aforesaid case to the Family Court, Lucknow, U.P.

The Transfer Petition is allowed accordingly.

.....J.  
[ TARUN CHATTERJEE ]

.....J.  
[ DALVERR BHANDARI ]

NEW DELHI

FEBRUARY 12, 2007.