

T.P.(C) No. 572 OF 2000

ITEM No.24

Court No. 6

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.572/2000

SUNITA SANTOSH MODI

Petitioner (s)

VERSUS

SANTOSH OMPRAKASH MODI

Respondent (s)

( With Appln(s). for stay and discharge of advocate on record and  
with Office Report )

Date : 08/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s)

Mr. V.B. Joshi,Adv.

For Respondent (s)

Ms.Shruti Chaudhary,Adv.  
Mr. Suman Jyoti Khaitan,Adv.

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

.SP2  
.....L.....I.....T.....T.....T.....T.....T.....T.....J  
The transfer petition is ordered.

.SP1  
(Usha Bhardwaj) (Kanwal Singh)  
P.S. to Registrar Court Master

Signed order is placed on the file.

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.PL55

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) No.572 of 2000@@  
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Smt. Sunita Santosh Modi

....Petitioner

versus

O R D E R@@  
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.SP2  
.....L.....I.....T.....T.....T.....T.....T.....T.....J

This is a transfer petition filed by the wife seeking transfer of Matrimonial Title Suit No.20/99 filed by the respondent- husband under Section 12(1)(c) of the Hindu Marriage Act from Dhule to Ranchi. She submits that Dhule is about 1600 kms from Ranchi and she cannot travel alone to attend the hearing of the case. She further submits that there is no person in the family who can accompany her and that she has no means to travel for attending to the hearing of the case.

In response to the notice Ms.Shruti Choudhary entered appearance. She appears for the respondent. She submits that she has received instructions from the Solicitor not to appear and that a notice sent has not been served on the respondent. The office report shows that the notice sent by this Court to the respondent was received back with postal remarks "not claimed". In the circumstances, we decline to discharge the learned counsel from the case.

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:2:

In view of the averments in the transfer petition, we find that it is a fit case to order transfer of the case from Ranchi to Dhule. We accordingly, direct that Matrimonial Title Suit No.20/99 pending in the Court of Judicial Commissioner Ranchi be transferred to the Court of Civil Judge (Senior Division) Maharashtra Dhule.

The transfer petition is ordered accordingly.

.SP1  
.....J.  
(SYED SHAH MOHAMMED QUADRI)

New Delhi,  
April 8, 2002  
.....J.  
(S.N. VARIAVA)