

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 725 OF 2012

NEHA DOBHAL @ NEHA TIWARI

Petitioner(s)

VERSUS

OM NARAYAN TIWARI

Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial case being Suit No. 379 of 2012 titled "OM Narayan Tiwari Vs. Neha Tiwari" from the Court of Principal Judge, Family Court, Lucknow, Uttar Pradesh to the Family Court, Dehradun, Uttarakhand.

2. Notice of the Transfer Petition was issued to the respondent and he has filed counter affidavit in opposition to the Transfer Petition.

3. We have perused the averments made in the Transfer Petition and in the counter affidavit.

4. Having regard to the fact that the petitioner-wife is residing in Dehradun, Uttarakhand, we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Lucknow, Uttar Pradesh.

5. We, accordingly, allow the Transfer Petition and transfer matrimonial case being Suit No. 379 of 2012 titled "OM Narayan Tiwari Vs. Neha Tiwari" from the Court of Principal Judge, Family Court, Lucknow, Uttar Pradesh to the Family Court, Dehradun, Uttarakhand. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the transferred matrimonial case.

7. No costs.

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

NEW DELHI; .....J.  
JANUARY 21, 2013 ( SUDHANSU JYOTI MUKHOPADHAYA )  
ITEM NO.43 COURT NO.6 SECTION XVIA

RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 725 OF 2012

NEHA DOBHAL @ NEHA TIWARI

Petitioner(s)

VERSUS

OM NARAYAN TIWARI

Respondent(s)

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

Date: 21/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Kailash Pandey, Adv.  
Mr. Ranjeet Singh, Adv.  
Mr. K.V. Sreekumar, Adv.

For Respondent(s) Mr. V.J. Francis, Adv.  
Mr. Anupam Mishra, Adv.  
Mr. K. Vinod Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Transfer Petition is allowed in terms of the signed order.

|(Rajesh Dham)  
|Court Master

|(Renu Diwan)  
|Court Master

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(signed order is placed on the file)