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ITEM NO.4

COURT NO.3

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(s). 739 OF 2012

SWATI MITTAL THAKKAR Petitioner(s)

VERSUS

MITTAL PANKAJ THAKKAR Respondent(s)

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

Date: 01/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Abhinav Bajaj, Adv.

For Respondent(s) Mr. Harish Khanna, Adv.

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

The transfer petition is allowed in terms of the signed  
order.

(Parveen Kr.Chawla)	(Usha Sharma)	
Court Master	Court Master	

[signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.739 OF 2012

Swati Mittal Thakkar ..Petitioner

versus

Mittal Pankaj Thakkar ..Respondent

O R D E R

In this petition, the petitioner has prayed for transfer of Marriage Petition No. 273 of 2012 filed by the respondent which is pending before the Court of Civil Judge, Senior Division, Kalyan within the State of Maharashtra to the Family Court at New Delhi.

The petitioner has sought transfer mainly on the ground of her inability to travel from New Delhi to Kalyan (Maharashtra) for contesting the petition filed by the respondent. The petitioner has averred that she does not have any regular source of income and she has to depend on her father for financial help.

We have heard learned counsel for the parties and perused the transfer petition as also the counter affidavit.

In our view, the petitioner has been able to make out a case for transfer of the aforesaid case from Kalyan within the State of Maharashtra to the Family Court at New Delhi.

The transfer petition is accordingly allowed and Marriage Petition No. 273 of 2012 filed by the respondent which is pending before the Court of Civil Judge, Senior Division, Kalyan within the State of Maharashtra is transferred to the Family Court at New Delhi for being decided on merits in accordance with law.

.....J.  
[G.S. SINGHVI]

New Delhi;  
July 01, 2013

.....J.  
[V. GOPALA GOWDA]