

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.963 OF 2012

SHWETA VISHAL SETHIA

...Petitioner(s)

VERSUS

VISHAL RAJENDRA SETHIA

...Respondent(s)

O R D E R

1. Perused the office report. In view of affidavit dated 30.10.2012 filed by the petitioner, service of notice is treated as sufficient.

2. In this petition, the petitioner has prayed for transfer of Petition No.A1565 of 2010 pending in the Court of Principal Judge, Family Court, Bandra, Bombay (Mumbai) to the Court of competent jurisdiction at Lucknow (Uttar Pradesh).

3. The petitioner has sought transfer mainly on the ground of financial difficulty and her inability to travel from Lucknow to Mumbai to attend the proceedings of the case filed by the respondent.

4. Although, the notice of the transfer petition has been served on the petitioner, he has neither appeared in person or through an advocate nor any counter has been filed to controvert the averments contained in this petition.

5. In our view, the petitioner has succeeded in making out a case for transfer of the case filed by the respondent at Bombay (Mumbai). The transfer petition is accordingly allowed and Petition No.A1565 of 2010 titled Vishal Rajendra Sethia vs. Shweta Vishal Sethia pending in the Court of Principal Judge, Family Court, Bandra, Bombay

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(Mumbai) is transferred to the Family Court at Lucknow (Uttar Pradesh).

.....J.
(G.S. SINGHVI)

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI,
NOVEMBER 27, 2012.

ITEM NO.8

COURT NO.4

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). 963 OF 2012

SHWETA VISHAL SETHIA Petitioner(s)

VERSUS

VISHAL RAJENDRA SETHIA Respondent(s)

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

Date: 27/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Adarsh Upadhyay, Adv.
Mr. Garvesh Kabra, Adv.

For Respondent(s)

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

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

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed order is placed on the file)