

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 818 OF 2012

GUNAVATI JAIN  
Petitioner(s)  
VERSUS

KALPESH KUMAR JAIN  
Respondent(s)

O R D E R

This is wife's transfer petition seeking transfer of matrimonial case being O.P. No. 1285 of 2011 titled "Kalpesh Kumar Jain Vs. Gunavati Jain" filed by the respondent before the Family Court-III, Chennai, Tamil Nadu to the Family Court at Rajahmundry, East Godavari District, Andhra Pradesh.

2. Notice of the transfer petition was issued to the respondent and he is represented by his counsel.

3. By order dated September 17, 2012, the matter was referred to the Supreme Court Mediation Centre. But, unfortunately, mediation could not fructify in resolution of disputes between the parties.

4. Having regard to the fact that petitioner-wife is residing at Rajahmundry, East Godavari District, Andhra Pradesh, we are satisfied that greater hardship shall be caused to her if proceedings in the above matrimonial case are allowed to be continued at Chennai, Tamil Nadu.

5. We, accordingly, allow the transfer petition and transfer matrimonial case being O.P. No. 1285 of 2011 titled "Kalpesh Kumar Jain Vs. Gunavati Jain" from the Family Court-III, Chennai, Tamil Nadu to the Principal District Judge, East Godavari District, Andhra Pradesh. It will be open to the Principal District Judge, East Godavari District to transfer the above matrimonial case for disposal to any other competent court within his jurisdiction. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay. No costs.

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

NEW DELHI; .....J.  
DECEMBER 7, 2012 ( ANIL R. DAVE )

ITEM NO.47 COURT NO.6 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). 818 OF 2012

GUNAVATI JAIN

Petitioner(s)

VERSUS

KALPESH KUMAR JAIN

Respondent(s)

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

Date: 07/12/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Ms. Sangeeta Kumar, Adv.(SCLSC)

For Respondent(s) Mr. Jayanth Muth Raj, Adv.  
Ms. Malvika G., Adv.  
Mr. Krishnan, Adv.  
Mr. Sureshan P., 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)