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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)NO.701 OF 2003

ARINDAM SAHA
R

.... PETITIONER

VERSUS

SARMITA RAY (SAHA) & ORS.
TS

.... RESPONDENTS

WITH

T.P.(C) NO.726/2004 (SARMITA SAHA (ROY) VS. ARINDAM SAHA

O R D E R

T.P.(C) NO.701/2003

This petition has been filed by the husband with a prayer to transfer Case

No.Misc.Pauper-38 of 2003 titled Smt. Sarmita Ray(Saha) & Anr. vs. Arindam Saha

pending in the Court of Civil Judge (Sr. Div-1), Agartala, West Tripura from Tripura to

Delhi. We see no ground to transfer the case. Accordingly, the transfer petition is

dismissed.

T.P.(C) NO.726/2004

This petition has been filed by the wife with a prayer to transfer the H.M.A.

Petition No. 872/03 titled Sri Arindam Saha vs. Smt. Sarmita Saha (Roy) pending in the

Court of Hon'ble Addl. District & Sessions Judge, Tis Hazari Courts, Delhi to the District

Court at Agartala in the State of Tripura on the ground that she has minor son and she is

not in a position to travel with an infant child from Agartala to Delhi. According to us this

is a good reason for allowing the transfer of the petition. Accordingly, the above

mentioned H.M.A.Petition stands transferred from Delhi to Agartala. Learned District

Judge, Agartala shall either try the said case himself or assign it to any competent court to try such cases.

The transfer petition is allowed accordingly.

....J.

(H.K. SEMA)

....J.

(G.P. MATHUR)

NEW DELHI,

SEPTEMBER 02, 2005.

ITEM NO.5

COURT NO.10

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). 701 OF 2003

SRI ARINDAM SAHA

Petitioner(s)

VERSUS

SARMITA RAY (SAHA) & ORS.

Respondent(s)

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

WITH T.P.(C) NO. 726 of 2004

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

Date: 02/09/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner(s)

Mr. Avijit Bhattacharjee, Adv.

Ms. Shrabani Chakraborty, Adv.

Mr. Anil Karnwal, Adv.

Dr. Sushil Balwada (SCLSC)

For Respondent(s)

Mr. Sanjay Parikh, Adv.

Mr. K. Rajeev, Adv.

Mr. Avijit Bhattacharjee, Adv.

UPON hearing counsel the Court made the following

O R D E R

T.P.(C) NO.701/2003

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

T.P.(C) NO.726/2004

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

(PAWAN KUMAR)

(PREM PRAKASH)

COURT MASTER

COURT MASTER

(signed order is placed on the file)