

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO(s).749 OF 2008

Anindita Moly Gupta ..... Petitioner (s)  
Versus  
Moly Kantimoy Gupta ..... Respondent (s)

O R D E R

1. In this petition, the petitioner-wife has prayed for transfer of the divorce petition filed by the respondent-husband under Section 13 (1) (i-a) of the Hindu Marriage Act, 1955 which is pending in the Court of Civil Judge (Senior Division), Thane, Maharashtra to a competent Court at Ahmedabad.

2. The petitioner has sought transfer of the divorce petition mainly on the ground of financial incapacity and her inability to travel from Ahmedabad to Thane, Maharashtra for the purpose of attending the proceedings of the case instituted by the respondent.

3. Notice of the transfer petition has been duly served upon the respondent, but he has not appeared in person or through an advocate. He has also not filed counter to oppose the prayer made by the petitioner.

4. In view of the above, the transfer petition is allowed and M.P. No.155 of 2008 titled Moly Kantimoy Gupta vs. Mrs.Anindita Moly Gupta, pending in the Court of Civil Judge (Senior Division), Thane, Maharashtra is transferred to District Judge, Ahmedabad who may try the case himself or make over the same to any other Court of competent jurisdiction for disposal in accordance with law.

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.....J.  
[G.S. Singhvi]

.....J.  
[Asok Kumar Ganguly]

New Delhi,  
January 29, 2010.

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ITEM NO.22 COURT NO.12 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). 749 OF 2008

ANINDITA MOLY GUPTA Petitioner(s)

VERSUS

MOLY KANTIMOY GUPTA Respondent(s)

(With appln(s) for stay)

Date: 29/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.D.N.Ray, Adv.  
Mr.Lokesh K.Choudhary, Adv.  
Mrs. Sumita Ray,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 )