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T.P.(C) No. 153 OF 2001

ITEM No.32

Court No. 1

SECTION XVIA
A/N MATTER

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.153/2001@@
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G. LAXMI NARASAMMA Petitioner (s)

VERSUS

M. SRINIVAS Respondent (s)
(With Appln(s). for stay)

Date : 06/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr. P. Sridhar, adv.
Mr. P S Narsimha, adv.
Mr. V.G. Pragasam, adv.

For Respondent (s) Mr. Shrikant Tyagi, adv.
Ms. Sujeeta Srivastava, adv.
Ms. Meenakshi Arora, adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

The transfer petition is allowed in terms of
the signed order. No costs.

.SP1

(S. Malkani) (Kanchan Jain)
Court Master AR-cum-PS

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 153 OF 2001@@
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G. Laxmi NarasammaPetitioner

VS.

M. Srinivas

....Respondent

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

This is a petition filed by the wife seeking transfer of a divorce petition filed in the District Court, Karkarduma, Delhi by the respondent being H.M.A. Case No. 693 of 2000 (M. Srinivas vs. G. Laxmi Narasamma). Counter and rejoinder have been filed to the petition. We have perused the same and heard learned counsel for the parties.

Without expressing any opinion on the merits of the matrimonial case, we consider that it is a fit case in which the petition deserves to be allowed and Divorce Petition being H.M.A. Case No. 693 of 2000 (M. Srinivas vs. G. Laxmi Narasamma) is required to be withdrawn from that court and transferred to the Court of District Judge, Guntur, Andhra Pradesh. We make an order accordingly.

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2.

The learned District Judge, Karkardooma shall send record of the case to the transferee Court without any delay.

The learned District Judge, Guntur, Andhra Pradesh may either try the petition himself or assign it to any other court of competent jurisdiction under him. The transferee court shall issue notice to the parties and dispose of the petition expeditiously.

The transfer petition is allowed. No costs.

.SP1

.....CJI

.....J.
(R. C. LAHOTI)

.....J.
(K. G. BALAKRISHNAN)

New Delhi
August 6, 2001.