

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). 723 OF 2004

UDITA ARORA

Petitioner(s)

VERSUS

BHUPINDER ARORA

Respondent(s)

(With appln(s) for stay and office report)(For final disposal)

Date: 16/12/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Ms. Kamini Jaiswal,Adv.

For Respondent(s)

Ms. Manjeet Chawla,Adv.

UPON hearing counsel the Court made the following

O R D E R

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

ardwaj)

(Meenu Sethi)

(Pushap Lata Bh

Court Master

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO. 723/2004

Udita Arora
Petitioner

...

VERSUS

Bhupinder Arora
Respondent

...

O R D E R

Having regard to the peculiar facts and circumstances of the case,

particularly, in view of the fact that the children of the parties are also witnesses, we are

of the opinion that it is not a fit case where H.M. No. 649/2004 titled Bhupender Arora

Vs. Udita Arora pending before the Additional District and Sessions Judge, Tis Hazari

Courts, New Delhi should be transferred from New Delhi to Chennai. However, we

would request the learned trial Judge to fix a specific date for examination of the

petitioner-herein and on that day if she is present, she will be examined. If the

examination and cross-examination is not over on the date fixed, the same shall

continue on the day to day basis. The respondent shall deposit a sum of Rs. 10,000/- in

the trial Court towards expenses of the petitioner and the said amount shall be paid to

her on the day she attends the hearing.

The trial Court shall be entitled to pass such orders as may be necessary to

give protection to the petitioner, if necessary. The transfer petition is dismissed

accordingly.

.....J.

(S.B.SINH

A)

.....J.

(P.K.BALASUBRAMANYAN)

New Delhi,

December 16, 2005