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T.P.(C) No. 777 OF 2004
ITEM No.52

Court No. 5

SECTION XVIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition.(Civil) No.777/2004

GARGI KONAR

Petitioner (s)

VERSUS

JAGJEET SINGH
(With Appln(s). for stay and Office Report)

Respondent (s)

Date : 11/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. V.N. Raghupathy,Adv.
Mr. Anil Agarwalla, Adv.
Mr. Jagdeep Anand, Adv.
Ms. Reshmee Ray, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

The Transfer Petition stands dismissed in terms of the signed order.

(K.K. Chawla)
Court Master

(T.K.Viswanadhan)
AR-CUM-PS

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.777 OF 2004

GARGI KONAR

Petitioner

VERSUS

JAGJEET SINGH

Respondent

O R D E R

This Transfer Petition has been filed by the wife for transfer of Matrimonial Suit No.137 of 2004 from the Court of Additional Civil Judge (Sr. Division) Bathinda, within the State of Punj

ab (in re: Jagjeet Singh Vs. Mrs. Gargi Konar), to the Court of District Judge, Burdwan, West Bengal at Durgapur or to the Court of District Judge, Burdwan, West Bengal at Burdwan. The Respondent is served but has not entered appearance.

The only ground made out in the Transfer Petition by the Petitioner-wife is that she is a help less woman fully dependent upon her father and that her financial capacity is not as such so t hat she can contest the proceedings in Bathinda in the State of Punjab.

In our view, this is not a ground for transfer at all. The Respondent can be directed to pay for her and her companions, to and fro and stay expenses on every occasion on which she is req uired to travel. The Additional Civil Judge before whom the case is pending is directed to qu antify the amount and to ensure that the same is paid to her on every occasion that she is req uired to remain present in Court. With these directions the Transfer Petition stands dismisse d.

.....J.
(S.N. Variava)

.....J.
(H.K. Sema)
New Delhi;
April 11, 2005.