v

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO(s). 327 OF 2011

DR (MRS.) RINKU DEY Petitioner

VERSUS

DR. PARTHA PRATIM DHANG Respondent

O R D E R

This is a transfer petition at the instance of the petitioner-wife, who seeks transfer of the Misc. Case No. 92 of 2008 titled Dr.(Mrs.) Rinku Dey Vs. Dr. Partho Pratim Dhang pending in the court of the Additional Chief Judicial Magistrate, Sonitpur at Tezpur, Assam to the Court of District and Sessions Judge, Tis Hazari, Delhi.

It has been submitted that the petitioner is a Doctor in the paramilitary forces and presently posted at Delhi and the respondent is living abroad at Phillippines. It is informed that the show cause notice was served on the respondent-husband through the Trial Court and also through the counsel representing the respondent but no one appeared to contest the petition seeking transfer. In any view, the respondent is living abroad and therefore, it hardly matters whether the case is decided in Assam or in Delhi.

Considering the fact that the petitioner is living in Delhi and no prejudice would be caused to the respondent-husband if the matter is transferred from Sonitpur, Tezpur, Assam to Delhi, we deem it appropriate to transfer the Misc. Case No. 92 of 2008 titled Dr.(Mrs.) Rinku Dey Vs. Dr. Partho Pratim Dhang pending in the court of the Additional Chief Judicial Magistrate, Sonitpur at Tezpur, Assam to the Court of District and Sessions Judge, Tis Hazari, Delhi.

Transfer petition is accordingly allowed.

.....J.
(GYAN SUDHA MISRA)

.....J.
(J. CHELAMESWAR)

NEW DELHI
APRIL 26, 2013

ITEM NO.47 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 (CRL.) NO(s). 327 OF 2011

DR (MRS.) RINKU DEY Petitioner(s)

VERSUS

DR. PARTHA PRATIM DHANG Respondent(s)

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

Date: 26/04/2013 This Petition was called on for hearing today.

CORAM :
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s)
Ms. C.K. Sucharita,Adv. (SCLSC)

For Respondent(s)

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

Transfer petition is allowed in terms of the signed order.

(NAVEEN KUMAR) (SNEH BALA MEHRA)
COURT MASTER COURT MASTER
(Signed order is placed on the file)

Note: No appearance slip was given in the Court.