

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 831 OF 2009

SONIKA AGARWAL Petitioner(s)

VERSUS

PIYUS AGARWAL Respondent(s)

O R D E R

1. This is a petition for transfer of the petition filed by the respondent under Section 9 of the Hindu Marriage Act, 1955, which is pending in the Court of Principal Judge, Family Court, Nainital (Uttarakhand).

2. The petitioner, who is a resident of Mathura has sought transfer of the aforesaid case mainly on the ground of financial difficulty and her inability to travel from Mathura to Nainital to attend the proceedings of the case filed by the respondent.

3. We have heard learned counsel for the parties and perused the record. In our view, ends of justice will be met by granting the prayer made by the petitioner.

4. Hence, the transfer petition is allowed and Petition No.65 of 2008 titled Piyus Agarwal vs. Sonika Agarwal, pending in the Court of Principal Judge, Family Court, Nainital within the State of Uttarakhand is transferred to the Family Court at Mathura within the State of Uttar Pradesh.

.....J.
(G.S. SINGHVI)

.....J.
(T.S. THAKUR)

NEW DELHI,
FEBRUARY 22, 2010.
ITEM NO.53

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). 831 OF 2009

SONIKA AGARWAL Petitioner(s)

VERSUS

PIYUS AGARWAL Respondent(s)

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

Date: 22/02/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Ms. Sheela Khan, Adv.
Mr. M. Khairati, Adv.
For Mr. Irshad Ahmad, A.O.R.

For Respondent(s) Mr. Pramit Saxena, Adv.
For Mr. Yash Pal Dhingra, A.O.R.

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

The transfer petition is allowed in terms of
signed order.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)