

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). 874 OF 2009

HEMA SHAMDAS LAKHATI Petitioner(s)

VERSUS

VIKRAM BHARWANI Respondent(s)

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

Date: 22/10/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. H.D. Thanvi,Adv.  
Mr. Kumar Kartik,Adv.  
Mr. Aruneshwar Gupta,Adv.

For Respondent(s) Ms. M. Indrani,Adv.  
Mr. Abhijit Sengupta,Adv.

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

The Transfer Petition is allowed in terms of the signed order.

Matrimonial suit No.947 of 2009 titled as "Vikram Bharwani vs. Hema Shamdas" pending before District Judge at Alipore,24-Parganas (South), Kolkata is ordered to be transferred to Family Court (or if there is no Family Court, to District Court) at Vadodara, Gujarat.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 874 OF 2009

HEMA SHAMDAS LAKHATI Petitioner(s)

VERSUS

VIKRAM BHARWANI Respondent(s)

O R D E R

This petition is filed by the wife seeking transfer of divorce petition filed by the husband under Section 13 of the Hindu Marriage Act, 1955, pending before District Judge at Alipore, 24-Parganas (South), Kolkata, West Bengal to Family Court at Vadodara, Gujarat. The petitioner has alleged that she is residing with her ailing mother at Vadodara; that it is not possible for her to meet the expenses for travelling from Vadodara to Kolkata to defend the case and also there is no one to accompany her; and that she apprehends physical assault by the respondent.

2. In the circumstances, we consider this a fit case for transfer.

3. Accordingly, this Transfer Petition is allowed. Matrimonial suit No.947 of 2009 titled as "Vikram Bharwani vs. Hema Shamdas" pending before District Judge at Alipore, 24-Parganas (South), Kolkata is ordered to be transferred to Family Court (or if there is no Family Court, to District Court) at Vadodara, Gujarat.

.....J.  
[ R.V. RAVEENDRAN ]

NEW DELHI; .....J.  
OCTOBER 22, 2010 [ H.L. GOKHALE ]