

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). 877 OF 2009

DIPIKA AGGARWAL @ DIPIKABEN MAHENSARIA Petitioner(s)

VERSUS

AMIT MAHENSARIA Respondent(s)

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

Date: 15/02/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Mr. K.P. Gupta, Adv.
Mr. R.C. Kohli, Adv.

For Respondent(s) Mr. Shridahr Y. Chitale. Adv.
Ms. Manali Singhal, Adv.
Mr. Abhijat P. Medh, 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.

(Sonia) (M.S. Negi)
Sr. P.A. Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE COURT

TRANSFER PETITION (CIVIL.) NO(s). 877 OF 2009

DIPIKA AGGARWAL @ DIPIKABEN MAHENSARIA Petitioner

VERSUS

AMIT MAHENSARIA Respondent

O R D E R

This petition for transfer is filed by the
wife seeking transfer of the divorce petition filed
by the husband from the Family Court, Bandra, Mumbai

to Family Court, Surat Gujarat.

The petitioner has stated that her case under the Domestic Violence Act is already pending at Surat. She has also stated that she has no male member to accompany her to Mumbai to attend the hearings and she is also not able to bear the expenses. All these allegations are denied by the respondent. However, having regard to the facts and circumstances particularly the allegation made in the annulment petition that petitioner is suffering from personality disorder, we are of the view that interests of justice requires to transfer the H.M.A. Case No. A832/2009 to Family Court, Surat Gujarat.

We, accordingly, allow the petition and direct to transfer the case from Family Court, Bandra, Mumbai to Family Court, Surat Gujarat.

.....J.
(R.V. RAVEENDRAN)

.....J.
(K.S. RADHAKRISHNAN)

NEW DELHI
FEBRUARY 15, 2010