

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 1005 OF 2012

POOJA ACHARYA Petitioner(s)

VERSUS

ALANKAR ACHARYA Respondent(s)

O R D E R

This is wife's transfer petition seeking transfer of matrimonial case being H.M.A. No. 730 of 2012 titled "Alankar Acharya Vs. Pooja Acharya" filed by the respondent before the Court of District Judge, Bhilwada, Rajasthan to the Family Court, Indore, Madhya Pradesh or to the court of competent jurisdiction at Indore.

2. Notice of the transfer petition was issued to the respondent. As per Office Report dated 5th day of December, 2012, service of show cause notice is complete. However, respondent has not chosen to appear.

3. Thus, the averments made in the transfer petition remain undenied and untraversed.

4. Having regard to the fact that petitioner-wife is residing at Indore, Madhya Pradesh, we are satisfied that greater hardship shall be caused to her if the proceedings in the above matrimonial case are allowed to be continued at Bhilwada, Rajasthan.

5. We, accordingly, allow the transfer petition and transfer matrimonial case being H.M.A. No. 730 of 2012 titled "Alankar Acharya Vs. Pooja Acharya" from the Court of District Judge, Bhilwada, Rajasthan to the Family Court, Indore, Madhya Pradesh. The transferrer court shall transmit the record and proceedings of the above transferred matrimonial case to the transferee court without any delay. No costs.

.....J.  
( R.M. LODHA )

NEW DELHI; .....J.  
DECEMBER 7, 2012 ( ANIL R. DAVE )

ITEM NO.50 COURT NO.6 SECTION XVIA

TRANSFER PETITION (CIVIL.) NO(s). 1005 OF 2012

POOJA ACHARYA

Petitioner(s)

VERSUS

ALANKAR ACHARYA

Respondent(s)

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

Date: 07/12/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)

Mr. Satish Kumar, Adv.

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.

|(Rajesh Dham)  
|Court Master

| |(Renu Diwan)  
| |Court Master

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(signed order is placed on the file)