

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). 1047 OF 2009

KOMAL JOSHI

Petitioner(s)

VERSUS

SANTOKH SINGH JOSHI

Respondent(s)

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

Date: 23/07/2010 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) Ms. Vanita Mehta,Adv.

For Respondent(s)

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

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

H.M.A.Case No.459/2008 titled "Santokh Singh Joshi vs. Komal Joshi" pending in the Court of Sh. Umed Singh, Additional District Judge, Tis Hazari Courts, Delhi is ordered to be transferred to the District Judge, Neemuch, Madhya Pradesh who may either try it himself or place it before court of appropriate jurisdiction at Neemuch.

(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). 1047 OF 2009

KOMAL JOSHI

Petitioner(s)

VERSUS

SANTOKH SINGH JOSHI

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 the Additional District & Sessions Judge, Tis Hazari Courts, Delhi, to the District Judge, Neemuch, Madhya Pradesh. Petitioner alleges that she is residing with her parents at Neemuch with her minor children; that her earlier petitions for divorce and maintenance are already pending at Neemuch; that petitioner faces threats to her life; that she is not able to bear the expense of travel and no one to escort her to Delhi.

2. On the facts and circumstances, we consider this a fit case for transfer.

3. Accordingly, transfer petition is allowed. H.M.A. Case No. 459/2008 titled "Santokh Singh Joshi vs. Komal Joshi" pending in the Court of Sh. Umed Singh, Additional District Judge, Tis Hazari Courts, Delhi is ordered to be transferred to the District Judge, Neemuch, Madhya Pradesh who may either try it himself or place it before court of appropriate jurisdiction at Neemuch.

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

NEW DELHI .....J.  
DATED JULY 23, 2010. [H.L. GOKHALE]