

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL) NO.826 OF 2006

ELIZA SRIVASTAVA Petitioner(s)

VERSUS

ABHISHEK SRIVASTAVA Respondent(s)

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

Date: 15/09/2008 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Imtiaz Ahmed,Adv.
Ms. Naghma Imtiaz,Adv.
Mr. Shehroz Akhlaq,Adv.
for M/s. Equity Lex Associates,Adv.

For Respondent(s) Mr. S.K. Verma,Adv. (N/P)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the petitioner.

Though the counsel has put in appearance on behalf of the respondent but neither any counter affidavit has been filed contesting the prayer for transfer made in this petition nor learned counsel appearing for the respondent has appeared when the case was taken up for argument.

Transfer petition is allowed.

[T.I. Rajput] [Om Prakash]
A.R.-cum-P.S. Assistant Registrar

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION [CIVIL] NO.826 OF 2006

Eliza Srivastava ...Petitioner(s)

Versus

Abhishek Srivastava ...Respondent(s)

O R D E R

Heard learned counsel for the petitioner.

Though the counsel has put in appearance on behalf of the respondent but neither any counter affidavit has been filed contesting the prayer for transfer made in this petition nor learned counsel appearing for the respondent has appeared when the case was taken up for argument.

Having perused the records, we are of the view that it is a fit case for transfer. Accordingly, Divorce Petition No.157 of 2006, titled as Abhishek Srivastava vs. Eliza Srivastava, pending before the Principal Judge, Family Court, Varanasi, within the State of Uttar Pradesh, is transferred to the District Judge, Yamuna Nagar, Jagadhri, within the State of Haryana, who may either try the case himself or make over the same for trial to any other court of competent jurisdiction.

Transfer petition is, accordingly, allowed.

.....J

[B.N. AGRAWAL]

.....J

[G.S. SINGHVI]

New Delhi,
September 15, 2008.