

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 970 OF 2012

SUNITA AGARWAL Petitioner(s)

VERSUS

AMIT AGARWAL Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial proceedings being H.M.A. Petition No. 11 of 2012 titled "Amit Agarwal Vs. Sunita" pending before the Court of IInd Additional District & Sessions Judge, Mahu, District Indore, Madhya Pradesh to the Family Court, Kota, Rajasthan.

2. Notice of the transfer petition was served on the respondent. Despite service, the respondent has not chosen to appear.

3. Thus the facts stated in the transfer petition remain untraversed and undenied.

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

5. Accordingly, transfer petition is allowed and matrimonial proceedings being H.M.A. Petition No. 11 of 2012 titled "Amit Agarwal Vs. Sunita" are transferred from the Court of IInd Additional District & Sessions Judge, Mahu, District Indore, Madhya Pradesh to the Family Court, Kota, Rajasthan. The transferrer court shall transmit the record and proceedings in the above mentioned transferred case to the transferee court without any delay. No costs.

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

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). 970 OF 2012

SUNITA AGARWAL Petitioner(s)

VERSUS

AMIT AGARWAL Respondent(s)

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

Date: 26/11/2012 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. Ajay Choudhary, 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)