

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). 788 OF 2010

FIROZA ANKLESARIA Petitioner(s)

VERSUS

SOHRAB ANKLESARIA Respondent(s)
(With appln(s) for stay and office report)

Date: 06/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Ms.Anu Gupta,Adv.
Mr.Prakhar Sharma,Adv.
Mr. Sanjeev Kumar Sharma,Adv.

For Respondent(s) Mr. Shiv Kumar Suri,Adv.
Mr. Danish Hasnain,Adv.
Mr. Saswat Pattnai,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard both sides.
The transfer petition is allowed in terms
of the signed order.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL)NO. 788 OF 2010

FIROZA ANKLESARIAPETITIONER

VERSUS

SOHRAB ANKLESARIARESPONDENT

O R D E R

Heard both sides.

Admittedly both parties are Parsi. In view of the same and in the light of the provisions of the Parsi Marriage and Divorce Act 1936 more particularly with reference to Section 19 and on going through her averments in the petition, we are of the view that the petitioner has made out the case for transfer. Therefore, Special Case No. 31 of 2010 titled as Sohrab Anklesaria Vs. Smt. Firoza Anklesaria pending in the Court of First Additional Chief Judge, Family Court, Indore, Madhya Pradesh is ordered to be transferred to the High Court of Bombay, Maharashtra.

We make it clear that if the High Court, Bombay feels that the matter is to be heard by any other Court having jurisdiction other than High Court, it is free to pass such

orders otherwise the High Court itself adjudicate and pass an order. It is further made clear that both parties are free to arrive an amicable settlement and if they arrive any such settlement, they are free to make their proposal to the Court concerned.

The transfer petition is allowed accordingly.

.....J.
[P. SATHASIVAM]

NEW DELHI
6TH MAY, 2011

.....J.
[DR. B.S. CHAUHAN]