

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 953 OF 2012

NIRAJ MORVAL

PETITIONER(s)

VERSUS

BITTU KUMAR

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being H.M.A. Petition No. 50 of 2012, titled as "Bittu Kumar vs. Niraj Morval", from the court of Principal Senior Civil Court (S.D.), Mehsana, Gujarat to the Court of District Judge, Sonapat, Haryana.

2. The notice of Transfer Petition has been served on the respondent. In response thereto, the respondent has sent the counter-affidavit by post. In the counter-affidavit, inter alia, it is stated that he is working as Lecturer in Physiology in Narsinhbhai Patel Dental College and Hospital at Visnagar, District Mehsana, Gujarat and only 12 days leave is left now. He has, therefore, prayed that the matter may not be transferred, as sought for by the petitioner.

3. We have perused the averments made in the Transfer Petition and the counter-affidavit.

4. Having regard to the fact that the petitioner-wife is presently residing in Sonapat, Haryana, we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Mehsana, Gujarat.

5. We, accordingly, allow the transfer petition and transfer matrimonial case being H.M.A. Petition No. 50 of 2012, titled as "Bittu Kumar vs. Niraj Morval", from the court of Principal Senior Civil Court (S.D.), Mehsana, Gujarat to the Family Court, Sonapat, Haryana. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in

For Respondent(s)

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

Transfer Petition is allowed in terms of signed order. No
costs.

| (Pardeep Kumar)
| Court Master

| | (Renu Diwan)
| | Court Master

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[SIGNED ORDER IS PLACED ON THE FILE]