

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). 951 OF 2009

RUPA Petitioner(s)

VERSUS

AJIT KUMAR DAS Respondent(s)
(With appln(s) for stay and office report)

Date: 18/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)
Mr. Ashok Mathur,Adv.

For Respondent(s)
Mr. Mithilesh Kumar Singh,Adv.

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

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

(Ganga Thakur)
PS to Registrar

(Juginder Kaur)
Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 951 OF 2009

RUPA ..PETITIONER (S)

Versus

AJIT KUMAR DAS ..RESPONDENT (S)

O R D E R

This application has been filed by the wife
praying for transfer of H.M.A. Petition No.369/08,
titled Ajit kumar Das Vs. Smt. Rupa, pending before the
learned Additional District Judge, Distt. Court Rohini,
Delhi, to a court of competent jurisdiction at

Darbhanga, Bihar.

We have heard the learned counsel for the respective parties and have also taken note of the allegation made by the respondent of threats of physical violence made to him on his previous visits to Darbhanga. Learned counsel also pointed out that a complaint has been made in this regard to the concerned S.H.O., Dharbhanga.

While we cannot appreciate the threats which are said to have been extended to the respondent, we are also convinced that the Transfer Petition should be allowed. Accordingly, while allowing the Transfer Petition and directing that the pending proceedings before Sh. Sanjay Garg, ADJ, Distt. Court Rohini, Delhi, be transferred to the Family Court, Darbhanga, Bihar, for disposal, we also grant leave to the respondent to apply to the court which will be taking the matter for consideration, for adequate protection against such threats. The respondent will also be entitled to apply before the Superintendent of Police, Darbhanga, for necessary protection in this regard. If such applications are made, the same are to be treated with the seriousness they may deserve.

.....J.
(ALTAMAS KABIR)

.....j.
(DEEPAK VERMA)

New Delhi,
December 18, 2009.