

IN THE SUPREME COURT OF INDIA
 CIVIL ORIGINAL JURISDICITON

TRANSFER PETITION (CIVIL.) NO(s). 881 OF 2009

SEEMA HIRAN

Petitioner(s)

VERSUS

SANJAY HIRAN

Respondent(s)

O R D E R

Heard learned counsel for the parties.

This petition for transfer is filed by the petitioner wife seeking transfer of the divorce petition filed by the respondent-husband, from the court of District Judge, Bhilwara, Rajasthan to the court of District Judge, Neemuch, Madhya Pradesh so that the said case can be taken up alongwith H.M. Case No.20 of 2009 filed by the petitioner for restitution of conjugal rights.

The respondent opposes the transfer contending that his life will be in threat, if he has to go to Neemuch.

It is seen that a similar submission is made by the petitioner also in regard to the case pending at Bhilwara.

We have to ignore of both.

Petitioner has two small children and she finds it difficult to travel all the way to Bhilwara to defend the

proceedings. On the facts and circumstances, we are of the view that this is a fit case for transfer.

We accordingly allow this petition and transfer the Miscellaneous Civil Case No.516 of 2008(Sanjay Hiran vs. Seema Hiran) pending on the file of District Judge, Bhilwara, Rajasthan to the file of District Judge, Neemuch, Madhya Pradesh who shall either try himself or assign it to the court of competent jurisdiction.

.....J.
[R.V. RAVEENDRAN]

NEW DELHI
DECEMBER 14, 2009

.....J.
[K.S. RADHAKRISHNAN]

3

ITEM NO.47

COURT NO.5

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

TRANSFER PETITION (CIVIL.) NO(s). 881 OF 2009

SEEMA HIRAN

Petitioner(s)

VERSUS

SANJAY HIRAN

Respondent(s)

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

Date: 14/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Mr. Alok Vagreeha, Adv.
Mr. Varun Thakur, Adv.
Mr. Varinder Kumar Sharma, Adv.

For Respondent(s) Mr. Praveen Swarup, Adv.

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

Transfer Petition is allowed in terms of the signed order. Miscellaneous Civil Case No.516 of 2008(Sanjay Hiran

vs. Seema Hiran) pending on the file of District Judge,
Bhilwara, Rajasthan is transferred to the file of District
Judge, Neemuch, Madhya Pradesh who shall either try himself

4

or assign it to the court of competent jurisdiction.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master

(Signed order is placed on the file.)