

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). 908-911 OF 2009

P.SARIKA RAJ

Petitioner(s)

VERSUS

P.SUNDER RAJ

Respondent(s)

(With appln(s) for directions,stay,permission to file additional documents and office report )

Date: 14/12/2009      These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)      Ms. Meenakshi Arora,Adv.  
   Ms. Liz Mathew,Adv.

For Respondent(s)      Mr. P.S.Narasimha,Sr.Adv.  
   Mr. M.Srinivas R.Rao,Adv.  
   Mr. Abid Ali Becran P.,Adv.  
   Mrs. Sudha Gupta,Adv.

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

The transfer petitions are allowed.

[SUMAN WADHWA]  
COURT MASTER

[MITHLESH GUPTA]  
COURT MASTER

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

TRANSFER PETITION (C) NOS. 908-911 OF 2009

P. SARIKA RAJ      ..PETITIONER(S)

VERSUS

P. SUNDER RAJ      ..RESPONDENT(S)

O R D E R

1. In this petition filed under Section 25 of Code of Civil Procedure, the petitioner has prayed for transfer of O.S. No.468 of 2009 filed by her under Section 31(1) (2) of the Specific Relief Act and I.A. No.453 of 2009 and two unnumbered application filed by her in O.P. No. 1083 of 2008, which are pending before Family Court,

Hyderabad.

2. At the hearing, learned counsel for the petitioner, after seeking instructions, made a statement that her client does not wish to prosecute I.A. No. 453 of 2009 and two unnumbered applications. At the same tie, she cited difficulties faced by the petitioner in undertaking travel from Gurgaon to Hyderabad as the cause for seeking transfer of O.S. No. 468 of 2009.

3. We have heard learned counsel for the parties and are satisfied that it will be in the interest of justice to transfer O.S. No. 468 of 2009 pending before Family

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Court, Hyderabad within the State of Andhra Pradesh to District Judge, Gurgaon within the State of Haryana, who may try the case himself or make over the same to any other Court of competent jurisdiction for being decided in accordance with law. Ordered accordingly.

4. I.A. No. 453 of 2009 and two unnumbered applications filed by the petitioner in O.P.No. 1083 of 2008 which are pending before Family Court, Hyderabad are withdrawn to this Court and are dismissed in terms of the statement made by the learned counsel for the petitioner.

5. The learned Presiding Officer, Family Court, Hyderabad is directed to remit the record of O.S. No. 468/2009, O.P. No. 1083/2008 and connected miscellaneous applications to the Court of District Judge, Gurgaon within a period of one months from the date of production/receipt of copy of this order. The petitioner shall be free to move the concerned Court at Gurgaon for expeditious disposal of O.S. No. 468/2009.

.....J.  
(G.S. SINGHVI)

.....J.  
(ASOK KUMAR GANGULY)

New Delhi;  
December 14, 2009.