

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). 852 OF 2004

DEEPIKA @ TARA
s)

Petitioner(

VERSUS

MARUTHI KATHARE
s)

Respondent(

(With appln(s) for stay)

Date: 18/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner(s)

Mr. Shankar Divate,Adv.

For Respondent(s)

Mr. Nikhil Nayyar,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.

(J.S. Rawat)
ng)
Court Master
Master

(Kanwal Si
Court

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 852 OF 2004

Deepika @ Tara

Petitioner (s)

Versus

Maruthi Kathare

Respondent (s)

O R D E R

The wife-petitioner has filed this petition under Section 25 of the Code of Civil Procedure for transfer of O.P. No. 1014 of 2004 instituted by the husband-respondent under Section 13(1)(ia)(d) of the Hindu Marriage Act from Family Court, Chennai to a Court of competent jurisdiction at Hubli (Karnataka).

Counsel for the respondent does not oppose the transfer petition but states that the same be not transferred to Hubli as the respondent apprehends danger to his life/bodily harm in travelling to Hubli. After hearing the counsel for the parties and keeping in view of the assertions in the transfer petition and the reply filed thereto, we deem it appropriate to direct that O.P. No. 1014 of 2004 titled as Mr. Maruti Kathare v. Smt. Deepika pending before the Family Court at Chennai be transferred to the Family Court at Gadak, Karnataka. Case record be transmitted forthwith to the Family Court at Gadak, Karnataka.

The transfer petition is allowed accordingly.

.....J.
(ASHOK BHAN)

New Delhi;
April 18, 2005.

.....J.
(Dr. AR. LAKSHMANAN)