

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.859 OF 2004

KANIKA JAIN
Petitioner(s)

VERSUS

GAGANN JAIN
Respondent(s)

O R D E R

Heard petitioner's counsel.

This is a petition filed under Section 25 of the Code of Civil Procedure for transfer of a

matrimonial case No.15(T)/04 entitled Gagann Jain Vs. Kanika Badhwar pending before the Court of

Deputy Commissioner/Addl. Deputy Commissioner at Shillong to an appropriate court at Delhi.

Notice was served on the respondent but the respondent has not chosen to contest his case.

It is submitted that the petitioner is staying with her parents in Gurgaon and that it would be difficult

for her to go to Shillong and defend the case filed by her husband at Shillong and hence the case may

be transferred to Delhi.

In the facts and circumstances, we direct that the matrimonial case No.15(T)/04 entitled

Gagann Jain Vs. Kanika Badhwar pending before the Court of Deputy Commissioner/Addl. Deputy

Commissioner at Shillong shall stand transferred to the Court of the District Judge, Tis Hazari, Delhi

and he may try the case himself or transfer the same to any other appropriate court having jurisdiction.

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The transfer petition is allowed accordingly.

.....J.

(K.G. BALAKRISHNAN)

.....J.

(B.P. SINGH)

NEW DELHI;

29TH JULY, 2005

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ITEM NO.33

COURT NO.5

SECTION XVIA

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). 859 OF 2004

KANIKA JAIN

Petitioner(s)

VERSUS

GAGANN JAIN

Respondent(s)

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

Date: 29/07/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner(s)

Ms.Manali Singhal, Adv.

For Mr. Abhijat P. Medh, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is allowed in terms of the signed order.

(G.V.Ramana)

(Veera Verma)

Court Master

Court Master

(Signed order is placed on the file)