

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). 1035 OF 2008

SHRUTI RUSTAGI

Petitioner(s)

VERSUS

KSHITIJ RUSTAGI

Respondent(s)

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

Date: 13/11/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Rajesh Sharma, Adv.  
Ms. Shalu Sharma, Adv.

For Respondent(s) Mr. Shishir Prakash, Adv.  
Mr. Zaki Ahmad Khan, Adv.  
Mr. M. Khairati, Adv.  
Mr. Irshad Ahmad, 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. Case No.712 of 2007 pending on the file of the Additional District Judge, Chandigarh is ordered to be transferred to the District Judge, Dehradun who may either try the same himself or assign it to the Court of competent jurisdiction at Dehradun for disposal.

( Ravi P. Verma ) ( M.S. Negi )  
Court Master Court Master  
[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO. 1035 OF 2008

SHRUTI RUSTAGI

.....PETITIONER(S)

Versus

KSHITIJ RUSTAGI

.....RESPONDENT(S)

O R D E R

The petitioner has filed this petition for transfer of the divorce petition filed by her husband and pending on the file of the Additional District Judge, Chandigarh to the District Court at Dehradun. The petitioner has alleged that having regard to her family circumstances and the threatened cruelty, she is not in a position to travel to Chandigarh.

The respondent-husband opposes the petition on the ground that the petitioner has been giving false complaints and unnecessarily harassing him.

The question that arises in this petition is limited. On the facts and circumstances, we are satisfied that this is a fit case for transfer.

Accordingly, the transfer Petition is allowed. Case No.712 of 2007 pending on the file of the Additional District Judge, Chandigarh is ordered to be transferred to the District Judge, Dehradun who may either try the same himself or assign it to the Court of competent jurisdiction at Dehradun for disposal.

.....J.  
( R.V. RAVEENDRAN )

New Delhi; .....J.  
November 13, 2009. ( G.S. SINGHVI )