

ITEM NO.5

COURT NO.6
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION XVIA

TRANSFER PETITION (CIVIL.) NO(s). 958 OF 2004

NIRU MISHRA DEVI
oner(s)

Petiti

VERSUS

HARISHANKAR TIWARY
dent(s)

Respon

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

Date: 28/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s) Mr. Bijan Kumar Ghosh,Adv.

For Respondent(s) Mr. V.N. Raghupathy,Adv.

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

In spite of two adjournments granted, counter affidavit has not
been filed.
Request for further adjournment is declined.

Transfer Petition is allowed in terms of the signed order.

(Parveen Kr. Chawla)
Court Master
[Signed Order is placed on the File]

(Kanwal Singh)
Court Master

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)NO.958 OF 2004

Niru Mishra Devi

..PETITIONER

VERSUS

O R D E R

Petitioner-wife has moved this petition under Section 25 of the Code of Civil Procedure for transfer of Matrimonial Case No. 40 of 2004 titled Hari Shankar Tiwary vs. Niru Mishra Devi pending before the District Judge, Sasaram, Rohtas(Bihar) to the Court of District Judge, Howrah (West Bengal).

After taking into consideration the averments made in the petition and looking to the convenience of the wife-petitioner, we deem it appropriate to transfer Matrimonial Case No. 40 of 2004 titled Hari Shankar Tiwary vs. Niru Mishra Devi pending before the District Judge, Sasaram, Rohtas (Bihar) to the Court of District Judge, Howrah(West Bengal).

The District Judge, Sasaram, Rohtas(Bihar) is directed to transmit the entire record related to the above-said case forthwith to the District Judge, Howrah(West Bengal) who on receipt of the same will either hear it himself or may assign it to a court of competent jurisdiction.

The Transfer Petition is allowed accordingly.

..J.

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[Ashok Bhan]

New Delhi;
.....J.

October 28, 2005.

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[Altamas Kabir]