

T.P.(C) No. 828 OF 2003
ITEM No.6

Court No.10

SECTION XVIA
A/N MATTER

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.828/2003

DIPTI KAUSHIK

Petitioner (s)

VERSUS

RAJAT KAUSHIK

Respondent (s)

(With Appln(s). for stay)

Date : 27/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s)Dr. J.N. Dubey, Sr. Adv.
Mr. Anurag Dubey, Adv.
Mrs. Upasana Dubey, Adv.
Mr. K.B. Upadhyay, Adv.
Mr. Arvind Tiwari, Adv.

Mr. S.R. Setia,Adv.

For Respondent (s)

Mr. Parmanand Gaur,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)
Court Master

(Kanwal Singh)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition (C) No. 828 of 2003

Dipti Kaushik

Petitioner

Versus

Rajat Kaushik

Respondent

O R D E R

The petitioner-wife has filed this petition seeking transfer of R.S. No. 732/2003 instituted by the respondent-husband under Section 13(1)(ia) of the Hindu Marriage Act, which is pending before the Court of Additional District & Sessions Judge, Delhi, to the Court of Family Judge, Agra, U.P., where she is residing.

Having heard learned counsel for the parties and for the reasons stated in the petition, we deem it appropriate to transfer the afore-mentioned case to Agra (U.P.). Accordingly, Regular Suit No. 732/2003 titled Rajat Kaushik v. Smt. Dipti Upadhyay, pending before the Court of the Additional District & Sessions Judge, Tis Hazari Courts, Delhi, is ordered to be transferred to the Court of Family Judge, Agra (U.P.) who, on receipt of the case record, may either retain it on his board or assign the same to some other court of competent jurisdiction for disposal in accordance with law.

The transfer petition stands allowed accordingly.

.....J.
(ASHOK BHAN)

New Delhi;.....J.
September 27, 2004.(S.H. KAPADIA)