

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.1121 OF 2008

SANGEETA CHATURVEDI

PETITIONER (S)

Versus

LAKHENDERA KUMAR CHATURVEDI

RESPONDENT (S)

ORDER

Pursuant to the service of notice of the Transfer Petition, the respondent has forwarded his reply to the petition to this Court and the same is part of the records.

In the Transfer Petition the petitioner has prayed for transfer of Matrimonial Case No.340/08 under Section 13 of the Hindu Marriage Act, titled Lakhendra Kumar Chaturvedi Vs. Sangeeta Chaturvedi, pending in the Family Court at Agra, to a Court of competent jurisdiction at New Delhi. In our view, sufficient grounds have been made out by the petitioner for allowing her prayer for such transfer. One of the more important features is the fact that the petitioner has a minor child of nine years and it will be difficult for her to attend to the case at Agra. Furthermore, Ground 'B' also indicates that

the respondent's brother-in-law is a practising advocate in courts at Agra and she has genuine apprehension not only of humiliation, but also threat

2

to her life at Agra. Although such allegations have been denied in the reply sent by the respondent, we are inclined to accept the version of the petitioner to allow the application for transfer. The Transfer Petition is, accordingly, allowed. Proceedings, being Matrimonial Case No. 340/08 pending before the Family Court at Agra, be transferred to the Court of District Judge, Patiala House Court, New Delhi.

.....J.
(ALTAMAS KABIR)

