

ITEM NO.5

COURT NO.3

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). 920 OF 2010

RASHMI SINGH

Petitioner(s)

VERSUS

ANIL KUMAR SINGH

Respondent(s)

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

Date: 17/01/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Ms. Mona Rajvanshi,Adv.
Mr. Anurag Kashyap,Adv.

For Respondent(s) Mr. Ratnakar Das,Sr.Adv.
Mr. Amit Sharma,Adv.
Mr. Rahul Jain,Adv.
Mr. Anupam Lal Das,Adv.

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

In terms of the signed order, the Transfer
Petition is allowed and case H.M.A. No.789/2010 titled as
"Anil Kumar Singh vs. Dr. Rashmi Singh" pending before
the District Judge, Karkardooma Courts, Delhi is ordered
to be transferred to District Judge, Gorakhpur, Uttar
Pradesh who shall either try it himself or assign it to
the court of competent jurisdiction at Gorakhpur.

(O.P. Sharma) (M.S. Negi)
Court Master Court Master
(Signed order is placed on the file)

T.P.(C)NO.920/2010

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO.920 OF 2010

RASHMI SINGH

Petitioner

VERSUS

ANIL KUMAR SINGH

Respondent

O R D E R

This petition is filed by the wife for transfer of a divorce petition filed under Section 13 of the Hindu Marriage Act, 1955, by the husband, from the Court of District Judge, Karkardooma Courts, Delhi to competent court at Gorakhpur, Uttar Pradesh. The petitioner alleges that her father is an old man and suffering form diabetes and and there is no other male member to accompany her to Delhi; that she is staying at Gorakhpur (U.P.) and it would be extremely difficult for her to travel to Delhi which is having at a distance of 750 kms.(approx.) to defend her case; that the petitioner has moved a complaint to S.P., Gorakhpur and also an application under Section 12 of the Protection of Women from Domestic Violence At, 2005 at Gorakhpur.

2. We have perused the counter-affidavit. We, we
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consider this a fit case for transfer, on the facts and circumstances.

3. Accordingly, Transfer Petition is allowed and case H.M.A. No.789/2010 titled as "Anil Kumar Singh vs. Dr. Rashmi Singh" pending before the District Judge, Karkardooma Courts, Delhi is ordered to be transferred to District Judge, Gorakhpur, Uttar Pradesh who shall either try it himself or assign it to the court of competent jurisdiction at Gorakhpur.

.....J.
[R.V. RAVEENDRAN]

NEW DELHI
JANUARY 17, 2011

.....J.
[A.K. PATNAIK]