

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C) NO.1175 OF 2011

Pinki Gupta @ Devi

Petitioner

Versus

Sunil Gupta @ Sunil

Respondent

O R D E R

1. Despite service of notice, none appears for Respondent and no Counter Affidavit has been filed by him to controvert the averments contained in the Transfer Petition.

2. The Petitioner - wife has filed this Petition under Section 25 of the Code of Civil Procedure with the prayer for transfer of Case No.182 of 2009 titled as "Sunil Gupta @ Sunil vs. Pinki Gupta @ Devi" pending in the Family Court at Jaipur, Rajasthan to the Civil Court at Kanchrapara, Kolkata, West Bengal.

2. Having gone through the same, we deem it fit and proper to transfer the matter to the Civil Court at Kanchrapara, Kolkata (West Bengal). We order accordingly. The parties are directed to appear before the said Court at Kanchrapara, Kolkata (West Bengal) on 29.08.2012 and the Family Court at Jaipur (Rajasthan), is directed to remit the record to the said Court forthwith.

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3. The Petitioner - wife would file her Written Statement, if she has not filed already, within fifteen days from the date, she puts in appearance on 29.08.2012. The Court, thereafter, would frame issues and decide the suit itself as expeditiously as possible and preferably within a period of nine (9) months from the date of framing of the Issues. It is also expected that none of the parties would seek undue adjournment of the matter.

4. Office is directed to send the copies of the order to the Courts at Jaipur (Rajasthan) and Kanchrapara, Kolkata (West Bengal) both.

5. The Transfer Petition is allowed in the above terms.

.....J
[Deepak Verma]

.....J
[Gyan Sudha Misra]

SECTION XVIA

[Signed Order is placed on the file]