

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). 1125 OF 2009

ATREYI CHAKARBARTI Petitioner(s)

VERSUS

SUBHO CHAKARBARTI Respondent(s)

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

WITH T.P.(CRL) NO. 369 of 2009

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

Date: 08/03/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Ms. Jasweet Kaur, Adv.  
For Mr. Subramonium Prasad, Adv.

For Respondent(s) Mr. Avijit Bhattacharjee, Adv.  
Mr. Bikas Kargupta, Adv.

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

Heard both sides.

The transfer petitions are allowed in terms of the  
signed order.

(R.K.Dhawan) (Veera Verma)  
Court Master Court Master

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C)NO.1125 OF 2009

ATREYI CHAKARBARTI ...PETITIONER.

VERSUS

SUBHO CHAKARBARTI ...RESPONDENT.

O R D E R

Heard both sides.

The petitioner-wife filed these petitions for transfer of the cases filed by the respondent-husband under the Guardians and Wards Act for the custody of the minor child before the Guardian Court, Chandigarh and other case is filed by the petitioner-wife under Section 125 of the Criminal Procedure Code 1973 before the Judicial Magistrate, First Class, Chandigarh. The petitioner-wife submits that she has shifted from Chandigarh to Delhi and unable to prosecute these two proceedings pending at Chandigarh and requested to transfer the same at Delhi.

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Accordingly, (1) we order for transfer of Guardian Case No.13 of 2008, titled- Dr. Subho Chakrabarti vs. Atreyi Chakrabarti pending before the Guardian Court, Chandigarh to the Family Court (Dwarka) Delhi. The Guardian Court at Chandigarh is directed to send all records to the Family Court (Dawarka), Delhi at the earliest.

(2) We order for transfer of Criminal Miscellaneous Application No.4909 of 2008, titled- Atreyi Chakrabarti and Another vs. Dr. Subho Chakarbarti, pending before the Judicial Magistrate, First Class, Chandigarh to the Family Court (Dawarka) Delhi. The Court of Judicial Magistrate, First Class, Chandigarh is directed to send all records to the Family Court (Dwarka), Delhi.

We are told that the respondent-husband also filed a Civil Revision No.6965 of 2008, titled Dr. Subho Chakraborti vs. Mrs. Atreyi Chakraborti before the High

Court of Punjab & Haryana at Chandigarh regarding the interim visitation rights of the petitioner. agreeable and requested for transfer of the above Civil Revision also to the Delhi High Court.

Parties are

We order for

transfer of the Civil Revision No.6965 of 2008 pending

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before the High Court of Punjab & Haryana at Chandigarh to the High Court of Delhi. The High Court of Punjab & Haryana shall transmit the record of the case to the Delhi High Court.

The respondent-husband has paid today Rs.1,08,000/- by way of a demand draft to the petitioner-wife. It is recorded.

The transfer petitions are allowed accordingly.

.....CJI  
(K.G. BALAKRISHNAN)

.....J  
(Dr. B.S. CHAUHAN)

NEW DELHI;  
MARCH 08, 2010