êITEM NO.46 COURT NO.10 SECTION XVIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 1081 OF 2006

DIMPY GUPTA Petitioner(s)

VERSUS

ARUN KUMAR GUPTA Respondent(s)

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

Date: 12/01/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Awanish Sinha, Adv.
Mr.P. K. Yadav, Adv.
Mr. Himanshu Shekhar,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The transfer petition is allowed in terms of the signed order. No order as to costs.

(Ajay Kr. Jain)
Court Master

(Vinod Kulvi)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C.) NO. 1081 OF 2006

Dimpy Gupta .... Petitioner

Versus

Arun Kumar Gupta .... Respondent

ORDER

Despite service of notice the respondent-husband is not present in person nor represented by any counsel.

Heard learned counsel for the petitioner.

In the peculiar facts and circumstances of the case, we think it is a fit case for transfer. Accordingly, Suit No. 787/2006 titled "Arun Kumar Gupta Vs. Dimpy Gupta" pending in the Court of Civil Judge, Bulandshahar (U.P.) is ordered to be transferred to District Judge, Delhi for trial. The District Judge, Delhi may try the case himself or make over the same to a Court of competent jurisdiction.

The transferor Court shall transmit the record of Suit NO. 787/2006 to the District Judge, Delhi, soon on communication of this Order.

The Transfer Petition is allowed. No order as to costs.

.....J.

(LOKESHWAR SINGH PANTA)

.....
..J.

(B. SUDERSHAN REDDY)

New Delhi, January 12, 2009