

ITEM NO.43

COURT NO.2

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). 1162 OF 2009

MANJULA BARI

Petitioner(s)

VERSUS

RASHBIHARI BARI

Respondent(s)

(With office report)

Date: 10/12/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr.J.P.Misra,Adv.
Mr.O.P.Misra,Adv.
Ms.Anita Misra,Adv.
Mr. Mohan Pandey,Adv.

For Respondent(s) Mr. Kailash Chand,Adv.(N.P.)

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

The Transfer Petition is allowed in terms of the
signed order.

(S.Sarangi)
Ar-cum-PS

(Juginder Kaur)
Court Master

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

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.1162 OF 2009

Manjula Bari

Petitioner

Versus

Rashbihari Bari

Respondent

O R D E R

Despite having entered appearance through learned

counsel, the sole respondent is not represented when the matter is taken up. Incidentally, it may be mentioned that the Transfer Petition was dismissed at one stage but was restored with notice to the learned Advocate-on-record for the respondent and the fact of such restoration was informed to the learned Advocate-on-record for the respondent.

This Petition has been filed on behalf of the petitioner-wife for transfer of Application No.163-A of 2008, titled Rashbihari Bari versus Smt. Manjula Bari, pending before the Principal Judge, Family Court, Durg, Chhatishgarh, to the Family Court, Chhindwara, Madhya Pradesh.

Having heard learned counsel for the petitioner and having perused the grounds set out in the Petition

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and in particular ground No.V, we allow the same. Let the Application No.163-A of 2008, titled Rashbihari Bari versus Smt. Manjula Bari, pending in the Court of Principal Judge, Family Court, Durg, Chhatishgarh, be transferred to the Family Court, Chhindwara, Madhya Pradesh.

.....J
(Altamas Kabir)

.....J
(Cyriac Joseph)

New Delhi,
December 10, 2010.