

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). 54 OF 2009

ISHITA BHATTACHARYA Petitioner(s)

VERSUS

SUKANT BHATTACHARYA Respondent(s)

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

Date: 12/03/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPHFor Petitioner(s) Ms. Jayshree Satpute, Adv.
Ms. Jyoti Mendiratta, Adv.For Respondent(s) Mr. Rajul Shrivastav, Adv.
Dr. S.K. Verma, Adv.
Mr. M.A. Krishna Moorthy, Adv.UPON hearing counsel the Court made the following
O R D E RThe Transfer Petition is allowed in terms of the signed
order.(Ganga Thakur)
P.S. to Registrar(Juginder Kaur)
Court MasterSigned order is placed on the file.
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 54 OF 2009

ISHITA BHATTACHARYA Petitioner(s)

VERSUS

SUKANT BHATTACHARYA Respondent(s)

O R D E R

This Transfer Petition has been filed by the petitioner-

wife, praying for transfer of Original Petition No. 7 of 2008, under the Guardianship and Wards Act, 1890, titled Sukant Bhattacharya Vs. Smt. Ishita Bhattacharya, pending before the Family Court at Jabalpur, to a competent court at Kolkata.

We have heard learned counsel for the respective parties and have also perused the Transfer Petition and the grounds made therein. One of the ground indicates that the petitioner has a minor daughter who would be around three and half years old at this point of time.

Apart from the above, it has also been indicated in the grounds that there is a threat to the safety to the life of petitioner along with her daughter in Jabalpur. In fact, it has also been pointed out that police protection had been given to her and her daughter by the Madhya Pradesh High Court so long as they were within the limits of Jabalpur District.

Sufficient grounds have been made out to allow the Transfer Petition. Let the Original Petition No. 7 of 2008

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under the Guardianship and Wards Act, 1890, pending before the Family court at Jabalpur stand transferred to the Family Court at Kolkata. In the event the respondent is apprehensive of his security, he may make an application to the police authorities who shall provide such security as may be necessary in the facts of the case.

.....J.
(ALTAMAS KABIR)

.....j.
(CYRIAC JOSEPH)

New Delhi,
March 12, 2010.