

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). 1200 OF 2009

SALLA SUCHARITHA Petitioner(s)

VERSUS

SALLA PRATHAP Respondent(s)

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

T.P.(C) NO. 220 of 2010
(With appln.(s) for ex-parte stay and office report)

WITH T.P.(Crl.) NO. 100 of 2010
(With appln.(s) for ex-parte stay and office report)

Date: 12/04/2010 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. Hemant Sharma, Adv.
Mr. Ashwani Bhardwaj, Adv.

For Respondent(s) Mr. B. Suyodhan, Adv.
Mr. Amar Pal, Adv.
Mr. Bharat J. Joshi, Adv.
Mr. G. Ramakrishna Prasad, Adv.

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

In terms of the signed order, Transfer
Petition(C) No. 1200/2009 is allowed. Divorce
Petition O.A. No. 329/2009 titled Salla Prathap Vs.
Salla Sucharitha pending before the Family Court,
City Civil Court, Hyderabad (A.P.) is ordered to be
transferred to the Family Court, Lucknow.

Transfer Petition (C) No.220/2010 and Transfer
Petition(Crl) No.100/2010 filed by the husband are
dismissed.

(Ravi P. Verma) (M.S. Negi)
Court Master Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO. 1200 OF 2009

SALLA SUCHARITHAPETITIONER

Versus

SALLA PRATHAPRESPONDENT

WITH
TRANSFER PETITION(C) NO.220 OF 2010
TRANSFER PETITION(CRL) NO.100 OF 2010

O R D E R

TRANSFER PETITION(C) NO.1200 OF 2009

This petition is filed by the wife for transfer of husband's divorce petition from Hyderabad to Lucknow. The petitioner has alleged that she is living in Lucknow with her parents; that she is unemployed and dependent on her parents; that she has to look after a minor daughter studying at Lucknow; that she has no source of income to travel to Hyderabad and defend the case. The petitioner stated that a petition under Section 125 Cr.P.C. for maintenance is also pending before the Principal Judge, Family Court, Lucknow.

2. The respondent opposes the application. But he has also alleged that the petitioner is suffering from mental illness. If so, she cannot be expected to travel to Hyderabad to defend the case. Be that as it may.

3. In the facts and circumstances, we consider this a fit case for transfer.

.....2.

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4. Accordingly, transfer petition is allowed. Divorce Petition O.A. No. 329/2009 titled Salla Prathap Vs. Salla Sucharitha pending before the Family Court, City Civil Court, Hyderabad (A.P.) is ordered to be transferred to the Family Court, Lucknow.

T.P.(C) NO.220/2010 AND T.P.(CRL) NO.100/2010

These transfer petitions filed by the husband are dismissed.

.....J.
(R.V. RAVEENDRAN)

New Delhi;
April 12, 2010.

.....J.
(R.M. LODHA)