

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 374 OF 2023

DR. TANVI AGRAWAL

PETITIONER(S)

VERSUS

DR. SHAILABH GUPTA

RESPONDENT(S)

O R D E R

The petitioner-wife has filed the petition under Section 25 of the Code of Civil Procedure, 1908 before this Court seeking transfer of petition bearing HMA No. 569 of 2022 titled "Dr. Shailabh Gupta Vs. Dr. Smt. Tanvi Agrawal" pending before the Family Court No.1 Alwar, Rajasthan to the Family Court, Pune, Maharashtra.

Having heard learned counsel for the parties and having perused the petition papers, we deem it appropriate to transfer the petition as sought in the petition. Accordingly, petition bearing HMA No. 569 of 2022 titled "Dr. Shailabh Gupta Vs. Dr.Smt. Tanvi Agrawal" pending before the Family Court No.1 Alwar, Rajasthan be transferred to the Family Court, Pune, Maharashtra.

Let the record of the case be transferred without delay.

Further, in the facts of the present case, we grant liberty to the respondent to make an appropriate application before the transferee court to permit the respondent to take part in proceedings through virtual mode. If such request is made, the transferee Court shall take note of the same and permit the respondent and insist on the physical presence only when it becomes absolutely necessary.

Even at the stage of examination of witnesses if there are outstation witnesses, liberty is granted to seek examination through Commission.

Further, since it is stated that both the parties have filed petitions seeking dissolution of marriage in the respective jurisdictions it is needless to mention that the transferee court may also explore the possibility of resolving the issue by way of compromise before proceeding to consider the matter on merits.

The Transfer Petition is disposed of in the above terms.

Pending application(s), if any, shall stand disposed of.

.....J.  
[A.S. BOPANNA]

.....J.  
[M.M. SUNDRESH]

NEW DELHI;  
AUGUST 02, 2023

ITEM NO.5

COURT NO.4

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Transfer Petition (C) No. 374/2023

TANVI AGRAWAL

Petitioner(s)

VERSUS

SHAILABH GUPTA

Respondent(s)

(Mediation report received )

Date : 02-08-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Rahul Krishna, AOR  
Ms. Priyanka Goel, Adv.  
Mr. Deva Vrat Anand, Adv.

For Respondent(s) Mr. Anuj Bhandari, AOR

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

The Transfer Petition is disposed of in terms of signed order.

Pending application(s), if any, shall stand disposed of.

(RAJNI MUKHI)  
COURT MASTER (SH)

(DIPTI KHURANA)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)