

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NOS.542-543 OF 2012

BIKRAM CHATTERJEE

Petitioner(s)

VERSUS

PRIYA CHATTERJEE

Respondent(s)

WITH

TRANSFER PETITION (CRL.) NO.61 OF 2012

O R D E R

Of the three transfer petitions filed by the husband of the respondent No.1, Priya Chatterjee, the first is for transfer of Petition No.2 of 2012, pending before the Principal Judge, Family Court, Varanasi, under Section 9 of the Hindu Marriage Act, 1955, for restoration of conjugal rights. The second petition has been filed for transfer of the petition filed by the respondent No.1 under Section 24 of the said Act for interim maintenance. The third transfer petition has been filed in regard to the criminal proceedings started on the complaint filed by the respondent No.1.

Having heard learned counsel for the respective parties, we are not inclined to entertain the said transfer petitions, particularly having regard to the circumstances of the respondent No.1 and the fact that she has a minor child, who is suffering from a very severe medical condition.

However, it has been submitted on behalf of the learned counsel for the petitioner that the petitioner No.2, the father of the petitioner No.1, in T.P. (Crl.) No.61 of 2012, is old and is suffering from various illnesses. The said petitioner will be at liberty to make an appropriate application before the Trial Court for dispensing with his appearance during the trial.

The transfer petitions are dismissed accordingly.

.....J.
(ALTAMAS KABIR)

.....J.
(J. CHELAMESWAR)

New Delhi,
August 28, 2012.

ITEM NO.55 COURT NO.2 SECTION XVIA

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 (CIVIL.) NOS.542-543 OF 2012

BIKRAM CHATTERJEE Petitioner(s)

VERSUS

PRIYA CHATTERJEE Respondent(s)

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

WITH T.P.(Crl.) No.61 of 2012
(With appln.(s) for stay and permission to file additional
documents and office report)
(For final disposal)

Date: 28/08/2012 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ALTAMAS KABIR
 HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Vikramjit Banerjee, Adv.
 Mr. P.S. Sudheer, AOR

For Respondent(s) Ms. Anitha Shenoy, AOR

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

The transfer petitions are dismissed in terms of the signed
order.

| (Chetan Kumar)
| Court Master

| | (Juginder Kaur)
| | Assistant Registrar

(Signed order is placed on the file)