

ÄTP(C) 523/2015

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO.523 OF 2015
Smt. Veena Bharde Petitioner(s)

Versus

Shri Sarang Bharde Respondent(s)

O R D E R

Heard Mr. Somanatha Padhan, learned counsel for the petitioner-wife and Mr. Sanjay Jain, learned counsel for the respondent-husband.

The petitioner-wife has filed an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005, being Other Misc. Criminal (D.V.) Case No.227/2016, pending before the court of Chief Judicial Magistrate, Amravati and the respondent-husband has filed a petition for dissolution of marriage under Section 13(1)(ia) of the Hindu Marriage Act, 1955, being H.M.A. No.06 of 2015, pending before the court of Principal Judge, Family Courts, Dwarka, New Delhi.

Learned counsel appearing for the parties have agreed that they have no objection if both the cases are transferred to the court of Principal Judge, Family Courts at Nagpur, Maharashtra.

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In view of the aforesaid, we deem it proper to allow the transfer of the aforesaid cases from the court of Chief Judicial Magistrate, Amravati and the court of Principal Judge, Family Court, Dwarka, New Delhi, to the court of Principal Judge, Family Court at Nagpur, Maharashtra, along with all records for its adjudication.

The respondent-husband shall pay a sum of Rs.3,00,000/- (Rupees three lacs only) towards the litigation expenses to the petitioner-wife as she has to travel from Amravati to Nagpur. We have fixed the said amount as the Family Court Judge need not think about entertaining any application for grant of litigation expenses provided under Section 24 of the Hindu Marriage Act, 1955. However, the learned Judge may entertain the application for maintenance. We direct that the Family Court Judge shall dispose of both the cases by end of May, 2017.

The Registry is directed to communicate the order passed today to the concerned courts immediately. The transfer petition is, accordingly, disposed of.

.....J.

[Dipak Misra]

.....J.

[Amitava Roy]

New Delhi

December 02 , 2016.

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ITEM NO.53 COURT NO.3 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.523/2015

VEENA BHARDE Petitioner(s)

VERSUS

SARANG BHARDE Respondent(s)

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

Date : 02/12/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Somanatha Padhan, AOR

Mr. Ashok Anand, Adv.

For Respondent(s) Mr. Sanjay Jain, AOR
Mr. Vinay Arora, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The transfer petition is disposed of in terms of the
signed order.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master

(Signed order is placed on the file)