

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO.718/2022

ABHISHEK CHAUDHURI

Petitioner(s)

VERSUS

MONICA CHAUDHURI

Respondent(s)

WITH

TRANSFER PETITION(CIVIL) NO.902/2022

TRANSFER PETITION(CIVIL) NO.837/2022

TRANSFER PETITION(CIVIL) Nos.955-956/2022

O R D E R

Heard learned counsel for the parties and perused the petitions papers.

T.P.(C) No. 718/2022, T.P.(C) No.902/2022 and T.P.(C) No.837/2022 are filed by the husband seeking transfer of the proceedings initiated by the wife before the Court of Principal Judge, Family Court at Ferozepur, Punjab to the District Court Alipore, South 24 Parganas, West Bengal.

The Transfer Petition bearing T.P.(C) Nos.955-956/2022 is filed by the wife seeking transfer of case bearing MAT Suit No.2933/2021 and Misc. Case No. 279/2021 from the District Court Alipore, South 24 Parganas, West Bengal to the Principal Judge, Family Court, Ferozepur, Punjab, and presently an application has been filed seeking that the modification be made by transferring it to the Family Court Rajpura, Chandigarh.

T.P.(C) NO.718/2022

Though, rival contentions have been addressed, on taking note that the wife at present would not be in a position to travel to West Bengal and at the same time we also take into consideration the fact that the husband would also have difficulty in travelling to Rajpura or to Ferozepur if the transfer as sought by the wife is accepted. Hence, in the facts and circumstances of the instant cases, we find it appropriate that all the cases referred above be transferred to the Family Court/Competent Court in Chandigarh from the respective Courts where they are pending, whereupon fresh notices shall be issued and the parties would have the liberty of filing an application before the transferee court seeking leave to appear through virtual mode and also to examine outstation witnesses through commission. If such application is filed, the Family Court/Competent Court shall consider the same and require the presence only on the dates when it becomes absolutely necessary for them to appear.

With the said observations and directions, these transfer petitions stand disposed of.

Pending application(s) shall also stand disposed of.

....., J.
(A.S. BOPANNA)

....., J.
(HIMA KOHLI)

NEW DELHI;
09.02.2023

ITEM NO.1

COURT NO.12

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
Transfer Petition (C) No. 718/2022

ABHISHEK CHAUDHURI

Petitioner(s)

VERSUS

MONICA CHAUDHURI

Respondent(s)

(MEDIATION REPORT RECEIVED
IA No. 45141/2022 - EX-PARTE STAY)

WITH

T.P.(C) No. 902/2022 (XVI-A)
(FOR EX-PARTE STAY ON IA 58443/2022)

T.P.(C) No. 837/2022 (XVI-A)
(FOR EX-PARTE STAY ON IA 55996/2022)

T.P.(C) No. 955-956/2022 (XVI-A)
(FOR EX-PARTE STAY ON IA 62440/2022
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
62484/2022)

Date : 09-02-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MS. JUSTICE HIMA KOHLI

For parties

Mr. Prateek Kumar, Adv.
Mr. Dipesh Sinha , AOR
Mr. Ruchir Ranjan Rai, Adv.
Mr. Ravindra Vikram, Adv.
Mr. Neelesh Singh Rao, Adv.

Mr. Kuldeep Rai, Adv.
Mr. Shivam Adhikary, Adv.
Mr. Ankur Jain, Adv.
Ms. Nandini Rai, Adv.
Mr. Ranjan Nikhil Dharnidhar, AOR

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

Transfer Petitions stand disposed of in terms of signed
order.

Pending application(s) shall also stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(Signed order is placed on the file)

(DIPTI KHURANA)
ASSISTANT REGISTRAR