

TRANSFER PETITION (CIVIL) NO. 391 OF 2011

PALLAVI MODI GUPTA

PETITIONER

VERSUS

AMAN GUPTA

RESPONDENT

O R D E R

On hearing learned senior counsel for the parties and on going through the materials on record, we are satisfied that the prayer of the petitioner, the estranged wife in the matrimonial proceeding, for transfer of the case outside Delhi is justified and is fit to be allowed to an extent.

However, having regard to the past experiences of the respondent, the husband, and his apprehensions, we may not compel him to go to Bhagalpur, where the case is requested to be transferred on behalf of the petitioner. Instead, we feel that the proper course would be to transfer the case to Patna for trial by a competent court there.

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We, accordingly, direct transfer of HMA case No.5 of 2011 titled 'Aman Gupta vs. Pallavi Modi Gupta' pending before the court of Additional Principal Judge, Family Courts, Rohini, Delhi to the Family Court, Patna, Bihar.

Let the record of the case be transferred to the Family Court, Patna, Bihar without any delay.

The transfer petition is allowed accordingly.

.....J.

(AFTAB ALAM)

.....J.
(RANJANA PRAKASH DESAI)

New Delhi,
November 14, 2011
ITEM NO.42

COURT NO.7

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(s). 391 OF 2011

PALLAVI MODI GUPTA

Petitioner(s)

VERSUS

AMAN GUPTA

Respondent(s)

(With appln(s) for directions,stay, production of additional documents and office report)

Date: 14/11/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Ms. Kumud Lata Das,Adv. (NP)

Ms. Indu Malhotra, Sr. Adv.
Ms. Lalit Mohini Bhat, adv.
Mr. Darpan K.M., Adv.
Ms. Hetu Arora ,Adv

For Respondent(s) Ms. Pinky Anand, Sr. Adv.
Ms. Natasha Sahrawat, adv
Mr. Prabal Bagchi, Adv.
Ms. Kartika Sharma, Adv.
Mr. D.N. Goburdhan,Adv.

UPON hearing counsel the Court made the following

O R D E R

Vakalatnama of Ms. Hetu Arora be taken on record.
Office objection of taking No-Objection Certificate from the erstwhile counsel is waived.

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

(Neetu Khajuria)
Sr.P.A.

(Sneh Bala Mehra)
Court Master

(Signed order is placed on the file.)