

ITEM NO.1

Court 12 (Video Conferencing)

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(s)(Civil) No. 1555/2020

MUBASHIRA NIZAM KALLAN

Petitioner(s)

VERSUS

MOHAMMAD NIZAM KALLAN

Respondent(s)

(FOR ADMISSION and IA No.136989/2020-EX-PARTE STAY)

WITH

T.P.(C) No. 34/2021 (XVI-A)

(FOR ADMISSION and IA No.3808/2021-EX-PARTE STAY)

Date : 29-01-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr. Arun Kumar Panwar, Adv.

Mr. Nirnimesh Dube, AOR

For Respondent(s)

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

The petitioner(wife) has filed these two transfer petitions for transfer of the case for Restitution of Conjugal Rights and also the Custody case filed by the respondent(husband), from the Court at Malappuram, Kerala, and at Kozhikode, Kerala, to a competent Court at Thane, Maharashtra.

Mr. Arun Kumar Panwar, learned counsel, submits that

the petitioner faced abuse and beatings in her matrimonial home and since June, 2019, she is residing at her parental home at Thane. It is further submitted that the respondent who is a well-off person has taken away the two minor daughters to Kerala, without the mother's consent.

The petitioner is currently unemployed and is dependant on her parents.

In view of above, let notice be issued, returnable in four weeks.

In the meantime, there shall be a stay of further proceedings in (i) O.P. No. 95/2020 titled as *Mohammad Nizam Kallan v. Mubashira Nizam Kallan* pending before Family Court, Malappuram, Kerala and (ii) O.P. No. 126/2020 titled as *Mohammad Nizam Kallan v. Mubashira Nizam Kallan*, pending before Family Court, Kozhikode, Kerala.

(NIDHI AHUJA)
AR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)