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ITEM NO.6

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). 594 OF 2012

ANITA Petitioner(s)

VERSUS

VIJAY KUMAR Respondent(s)

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

Date: 21/09/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Kirpal Singh, Adv. for
Mr. Debasis Misra, Adv.

For Respondent(s) Mr. J.K Bhellorina, Adv. for
Mr. Rameshwar Prasad Goyal, Adv.

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

Transfer Petition is allowed in terms of signed order.

|(Pardeep Kumar) | |(Renu Diwan) |
|Court Master | |Court Master |

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 594 OF 2012

| ANITA | ... | PETITIONER(S) |

| Versus |

O R D E R

This is wife's petition seeking transfer of Civil Suit No. 302 of 2011, Vijay Kumar vs. Anita, from the court of Civil Judge (Sr. Division), Balrampur (U.P.) to the court of competent jurisdiction at Rohini Courts, Delhi.

2. The notice of the Transfer Petition has been served on the respondent and in response thereto, he has filed counter-affidavit.

3. The petitioner has filed rejoinder-affidavit.

4. Having regard to the available pleadings on the record and the fact that the wife resides in Delhi, we are satisfied that the petitioner-wife shall be put to greater hardship if the matrimonial proceedings are allowed to be continued at Balrampur (U.P.) which is about 600 K.Ms. away from the place of residence of the petitioner.

5. We, accordingly, allow the Transfer Petition and transfer Civil Suit No. 302 of 2011, Vijay Kumar vs. Anita

: 2 :

from the Court of Civil Judge (Sr. Division), Balrampur (U.P.) to the court of Principal Judge, Family Court, Rohini Courts, Delhi. The Civil Judge (Sr. Division) Balrampur (U.P.) shall ensure that the entire record and proceedings pertaining to the Civil Suit No. 302 of 2011 are transmitted to the transferee court without any delay. No costs.

.....J.
(R.M. LODHA)

.....J.
(ANIL R. DAVE)

NEW DELHI
SEPTEMBER 21, 2012.