

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)No.2992 of 2022

JIVISHA PANKAJ GODHWANI

PETITIONER

VERSUS

PANKAJ KHEMCHAND GODHWANI

RESPONDENT

O R D E R

1. The petitioner - wife seeks transfer of Petition No.A1163 of 2021, titled as "Pankaj Khemchand Godhwani vs. Jivisha Pankaj Godhwani", filed by the respondent - husband under Section 12(2)(a) (i) of the Hindu Marriage Act, 1955, which is pending before the Court of Principal Judge, Family Court at Nagpur, Maharashtra. The petitioner - wife seeks transfer thereof to the Court of Principal Judge, Family Court, District Katni, Madhya Pradesh.

2. The marriage between the parties was solemnized on 06.01.2021 and a child born out of the wedlock, who is one year's old, is under the care and custody of the petitioner - wife.

3. As of now, we do not want to comment upon the criminal cases lodged by the respondent - husband entangling the petitioner - wife and her family members, but suffice it to say that keeping in view the factors like (i) the petitioner - wife is required to look after their one year's old child (ii) there is a long distance of around 350 kms. between the two places (iii) the petitioner - wife has no source of livelihood and she is dependent on her family

(iv) the respondent - husband is not paying any maintenance, it is a fit case to transfer the subject petition from the Family Court at Nagpur, Maharashtra to the Family Court, District Katni, Madhya Pradesh.

4. The Transfer Petition is, accordingly, allowed and Petition No.A1163 of 2021, titled as "Pankaj Khemchand Godhwani vs. Jivisha Pankaj Godhwani", filed by the respondent - husband under Section 12(2)(a)(i) of the Hindu Marriage Act, 1955, which is pending before the Court of Principal Judge, Family Court at Nagpur, Maharashtra is ordered to be transferred to the Court of Principal Judge, Family Court, District Katni, Madhya Pradesh. The records be forwarded to the Transferee Court forthwith.

5. As a result, pending interlocutory application also stands disposed of.

.....J.  
(SURYA KANT)

.....J.  
(ARAVIND KUMAR)

NEW DELHI;  
MARCH 01, 2023.

ITEM NO.3

COURT NO.9

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 STransfer Petition(s)(Civil) No(s).2992/2022

JIVISHA PANKAJ GODHWANI

Petitioner(s)

VERSUS

PANKAJ KHEMCHAND GODHWANI

Respondent(s)

(FOR ADMISSION and IA No.184849/2022-EX-PARTE)  
IA No.184849/2022 - EX-PARTE STAY)

Date : 01-03-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE ARAVIND KUMARFor Petitioner(s) Mr. Jitesh Talwani, Adv.  
Ms. Anjali, Adv.  
Mr. Anantha Narayana M.G., AORFor Respondent(s) Mr. Shakul R.Ghatole, Adv.  
Mr. Vatsalya Vigya, AORUPON hearing the counsel the Court made the following  
O R D E RThe Transfer Petition is allowed in terms of the signed  
order. The records be forwarded to the Transferee Court forthwith.As a result, pending interlocutory application also  
stands disposed of.(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR(PREETHI T.C.)  
COURT MASTER (NSH)

(Signed order is placed on the file)