

IN THE SUPREME COURT OF INDIA
CRIMINAL/CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(S) (CRIMINAL) NO(S). 392-393/2016

ARVIND SINGH TOMAR AND ORS.

PETITIONER(S)

VERSUS

STATE OF WEST BENGAL & ETC.
RESPONDENT(S)

WITH

TRANSFER PETITION(C) No. 699/2017

SADHNA TOMAR

PETITIONER(S)

VERSUS

ARVIND SINGH TOMAR

RESPONDENT(S)

O R D E R

TRANSFER PETITION(S) (CRIMINAL) NO(S). 392-393/2016

Nobody appears on behalf of the petitioners even on second call.

The transfer petitions are dismissed for non-prosecution.

TRANSFER PETITION(C) No. 699/2017

On the last date of hearing the learned counsel for the respondent has stated that this matter is at the final stage in which evidence has already been recorded and even arguments have been heard and the matter is fixed for judgment. Learned counsel for the petitioner had taken some time to seek instructions in this behalf. Learned counsel for the petitioner submits that the

statement made by the learned counsel for the respondent was not correct. He has produced the order sheet of the case in question as per which evidence is yet to be recorded.

Nobody appears on behalf of the respondent even on second call.

Having heard learned counsel for the petitioner and having considered the facts and circumstances of the case, we deem it fit and proper to allow this transfer petition. Accordingly, Family Suit NO. 863H of 2015 titled as "Arvind Singh Tomar Versus Sadhna Tomar" is ordered to be transferred from the Court of Principal Judge, Family Court, Gwalior, Madhya Pradesh to the Court of Principal Judge, Family Court, Kolkata, West Bengal.

Let the records of the case be transferred to the concerned court without delay.

The Transfer Petition is allowed, accordingly.

.....J.
[A.K. SIKRI]

.....J.
[ASHOK BHUSHAN]

NEW DELHI;
MAY 05, 2017

ITEM NO.48

COURT NO.8

SECTION XVIA

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) (Criminal) No(s). 392-393/2016

ARVIND SINGH TOMAR AND ORS.

Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ETC.

Respondent(s)

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND EX-PARTE STAY AND OFFICE REPORT)

WITH

T.P.(C) No. 699/2017

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND EX-PARTE STAY AND OFFICE REPORT)

Date : 05/05/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

Counsel for the
Parties:

Mr. Rameshwar Prasad Goyal, Adv. (Not present)

Mr. N.K. Mody, Sr. Adv.

Mr. Rohan, Adv.

Mr. Adarsh Tripathi, Adv.

Mr. M. P. Shorawala, Adv.

Mr. Chanchal Kumar Ganguli, Adv. (Not present)

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

The Transfer Petition(s) (Criminal) No(s). 392-393/2016 are dismissed and Transfer Petition (C) No. 699/2017 is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(Ashwani Thakur)
COURT MASTER

(Mala Kumari Sharma)
COURT MASTER

(Signed order is placed on the file)