

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CIVIL) NO(S). 51-52/2021

NISH RAJ BHARTI

PETITIONER(S)

VERSUS

SHREY BHARTI

RESPONDENT(S)

WITH

TRANSFER PETITION(S)(CRIMINAL) NO(S). 22/2021

NISH RAJ BHARTI

PETITIONER(S)

VERSUS

SHREY BHARTI

RESPONDENT(S)

O R D E R

The Transfer Petition (Civil) Nos.51-52 of 2021 have been filed by the petitioner-wife seeking transfer of the matrimonial case bearing no.126 of 2020 titled as "*Shrey Bharti vs. Nish Raj Bharti*" and miscellaneous case no.77 of 2020 titled as "*Nish Raj Bharti vs. Shrey Bharti*" respectively pending before the Principal Judge, Family Court, Saharanpur, Uttar Pradesh to the Family Court, Gaya, Bihar.

The Transfer Petition (Cr1.) No.22 of 2021 has also been filed by the petitioner-wife under Section 406 of the Cr.P.C., 1973 seeking transfer of Criminal Miscellaneous Case No.373 of 2020 titled as "*Nish Raj Bharti vs. Shrey Bharti*" pending before the Principal Judge, Family Court, Saharanpur, Uttar Pradesh to the Family Court, Gaya, Bihar.

Heard the learned counsel for the petitioner and the respondent.

On consideration of the facts and circumstances of the cases, we are satisfied that the petitioner has made out a case for transfer of proceedings registered as (i) matrimonial case bearing no.126 of 2020 titled as "*Shrey Bharti vs. Nish Raj Bharti*" , (ii) miscellaneous case no.77 of 2020 titled as "*Nish Raj Bharti vs. Shrey Bharti*" and (iii) Criminal Miscellaneous Case No.373 of 2020 titled as "*Nish Raj Bharti vs. Shrey Bharti*" respectively pending before the Principal Judge, Family Court, Saharanpur, Uttar Pradesh to the Family Court, Gaya, Bihar.

The records of these said proceedings shall be sent to the transferee Court and the Family Court, Gaya, Bihar shall proceed in the matters from the stages which the matters are at present pending before the Court in Saharanpur, Uttar Pradesh.

The Transfer Petitions stand allowed accordingly.

Pending applications, if any, shall stand disposed of.

.....J.
[ANIRUDDHA BOSE]

.....J.
[VIKRAM NATH]

New Delhi;
September 02, 2022.

ITEM NO.38

COURT NO.15

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(S). 51-52/2021

NISH RAJ BHARTI

PETITIONER(S)

VERSUS

SHREY BHARTI

RESPONDENT(S)

(IA No. 5421/2021 - EX-PARTE STAY & IA No. 5422/2021 - EXEMPTION
FROM FILING O.T.)

WITH

T.P.(Cr1.) No. 22/2021 (XVI-A)
(FOR STAY APPLICATION ON IA 7444/2021 & FOR EXEMPTION FROM FILING
O.T. ON IA 7445/2021)

Date : 02-09-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Krishna Kumar Singh, AOR

For Respondent(s) Mr. Ajay Kumar Rai, Adv.
Mr. Ajay Singh, Adv.
Mr. Ram Kumar, Adv.
Mr. Lokesh Kumar Choudhary, AOR

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

The Transfer Petitions stand allowed in terms of the
signed Order.

Pending applications, if any, shall stand disposed of.

(NIRMALA NEGI)
COURT MASTER (SH)

(VIDYA NEGI)
ASSISTANT REGISTRAR

(Signed order is placed on the file)