

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 156 OF 2020

KUSUM ALIAS MAMTA BHAWARLALJI KHINWASARA PETITIONER(S)

VERSUS

ARVINDKUMAR ALIAS AMIT SURESHKUMAR BAFNA RESPONDENT(S)

O R D E R

The petitioner-wife has filed the petition under Section 25 of the Code of Civil Procedure, 1908 before this Court seeking transfer of Case bearing P.A. No. 1012 of 2019 titled "Arvindkumar alias Amit Sureshkumar Bafna Vs. Kusum alias Mamta Bhawarlalji Khinwasara", pending before the Family Court, Pune at Pune, Maharashtra to the Court of Competent Jurisdiction at Chennai, Tamil Nadu.

Having heard learned counsel for the parties and taking into consideration the grounds taken in the transfer petition, we direct the transfer of Case bearing P.A. No. 1012 of 2019 titled "Arvindkumar alias Amit Sureshkumar Bafna Vs. Kusum alias Mamta Bhawarlalji Khinwasara", pending before the Family Court, Pune at Pune, Maharashtra to the Court of Competent Jurisdiction at Chennai, Tamil Nadu.

Let the record of the case be transferred without delay.

The Transferee Court before proceeding to consider the matter on merits shall make an attempt to settle the matter between the parties if necessary, by referring to mediation and only if the mediation fails, the matter shall be taken on merits.

Further, in the facts of the present case, we grant liberty to the respondent to make an appropriate application before the transferee court to permit the respondent to take part in proceedings through virtual mode. If such request is made, the transferee Court shall take note of the same and permit the respondent and insist on the physical presence only when it becomes absolutely necessary.

The Transfer Petition is allowed in the afore-stated terms.

Pending application(s), if any, shall stand disposed of.

.....J.
[A.S. BOPANNA]

.....J.
[DIPANKAR DATTA]

NEW DELHI;
JANUARY 04, 2023

ITEM NO.1

COURT NO.12

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 (C) No. 156/2020

KUSUM ALIAS MAMTA BHAWARLALJI KHINWASARA

Petitioner(s)

VERSUS

ARVINDKUMAR ALIAS AMIT SURESHKUMAR BAFNA

Respondent(s)

(***Mediation report has been received.

IA No. 147342/2021 - EARLY HEARING APPLICATION

IA No. 15048/2020 - EX-PARTE STAY

IA No. 15050/2020 - EXEMPTION FROM FILING O.T.)

Date : 04-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Vikas Singh Jangra, AOR

For Respondent(s) Mr. Raj Kumar Bhartiya, Adv.
Mr. Ram Kumar Singh, Adv.
Mr. Sudhir Mendiratta, AOR

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

The Transfer Petition is allowed in terms of signed
order.

Pending application(s) shall stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR

(Signed order is placed on the file)