

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CIVIL) NO(S). 196/2023

RAJSHRIBEN KESARI

PETITIONER(S)

VERSUS

JAPMANDEEP SINGH AHLUWALIA

RESPONDENT(S)

O R D E R

1. This is a petition for transfer of proceedings i.e. Civil Suit No.76 of 2022. The transfer is sought on the ground that the petitioner-wife needs to take care of her old mother and that her son is studying in 12th standard at Ahmedabad. It is further contended that the respondent-husband is also contesting cases at Ahmedabad and as such no prejudice would be caused to him.

2. Learned counsel appearing for the respondent vehemently opposes this petition. It is submitted that the conduct of the petitioner would disentitle her for the reliefs claimed and stated that when a lawyer from Delhi went to Ahmedabad to attend proceedings, he was beaten there at the behest of the petitioner.

3. By an order dated 26.07.2023, this Court had transferred the proceedings from Patiala, Punjab to Principal Judge, Family Court, Ahmedabad, Gujarat.

4. Vide order dated 25.01.2024, we had recalled the said order dated 26.07.2023.

5. Taking into consideration the facts and circumstances, we find that it will be appropriate that the proceedings are transferred to a neutral place.

6. Therefore, proceedings of Civil Suit No.76 of 2022 titled "Japmandeep Singh Ahluwalia son of Mr. Patel Singh Ahluwalia v. Rajshriben Kesari D/o. Vijay Kumar" are ordered to be

transferred to the Court of Principal Judge, Family Court, Patiala House, New Delhi, who may decide the case himself/herself or assign the same to the Court of competent jurisdiction.

7. The Principal Judge, Family Court, Ahmedabad, Gujarat is, therefore, directed to remit the proceedings of Civil Suit No.76 of 2022 to the Court of Principal Judge, Family Court, Patiala House, New Delhi promptly and without any delay.

8. The transfer petition is, accordingly, disposed of.

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

.....J
(B.R. GAVAI)

.....J
(SANDEEP MAHTA)

NEW DELHI
MARCH 01, 2024

ITEM NO.2

COURT NO.3

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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(IA No. 48384/2024 - CONDONATION OF DELAY IN FILING COUNTER
AFFIDAVIT, IA No. 16372/2023 - EX-PARTE STAY
IA No. 112264/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 01-03-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Rauf Rahim, Sr. Adv.
Mr. Priank Adhyaru, Adv.
Mr. Ali Asghar Rahim, Adv.
Dr. Kanu Sharma, Adv.
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Dhananjai Jain, Adv.
Ms. Omita U., Adv.
Mr. Bhoop Singh, Adv.

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

The transfer petition is disposed of, in terms of the signed
order.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

(Signed order is placed on the file)