

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO.1517/2022

MRUNALI AGRE

Petitioner(s)

VERSUS

UMESH AGRE

Respondent(s)

O R D E R

1. The petitioner (wife) seeks transfer of Matrimonial Petition bearing HMP No.654/2021 titled "Shri Umesh Agre vs Smt. Mrunali Agre" filed by the respondent (husband) under Section 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights, which is pending before the Principal Judge, Family Court, Raipur, Chhattisgarh.

2. The petitioner (wife) seeks transfer of the above-stated case to the Family Court, Bhandara, Maharashtra.

3. Heard learned counsel appearing for the petitioner and perused the material placed on record.

4. As per the Office Report dated 24-01-2023, service is complete on the respondent (husband) but nobody has entered appearance on his behalf so far.

5. The marriage between the parties was solemnized on 05-12-2019.

6. Keeping in view the distance between the place of residence of the petitioner and the place where the respondent (husband) has filed the Section 9 petition, which is about 350 kms, coupled with

the fact that she has to take care of her old aged mother, it would be difficult for her to travel from Maharashtra to Chhattisgarh to defend herself in the case instituted by respondent (husband).

7. Therefore, without expressing any views on the merits of the case, the Transfer Petition is allowed and Matrimonial Petition bearing HMP No.654/2021 titled "Shri Umesh Agre vs Smt. Mrunali Agre" pending before the Principal Judge, Family Court, Raipur, Chhattisgarh, is ordered to be transferred to the Family Court, Bhandara, Maharashtra.

8. The records be forwarded to the transferee Court forthwith.

9. Pending applications also stand disposed of.

.....J
(SURYA KANT)

.....J
(J.K. MAHESHWARI)

NEW DELHI
25TH JANUARY, 2023.

ITEM NO.5

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(Civil) No.1517/2022

MRUNALI AGRE

Petitioner(s)

VERSUS

UMESH AGRE

Respondent(s)

(IA No. 95850/2022 - EX-PARTE STAY & IA No. 95851/2022 - EXEMPTION
FROM FILING O.T.)

Date : 25-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Prashant R. Dahat, Adv.
Mr. Puneet Yadav, Adv.
Mr. Sourabh Gupta, Adv.
Mr. T. R. B. Sivakumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RApplication seeking exemption from filing official translation
of the Annexures is allowed.The Transfer Petition is allowed, in terms of the signed
Order.

Pending application also stands disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS(PREETHI T.C.)
COURT MASTER (NSH)

(Signed Order is placed on the file)