

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.222 OF 2023

POONAM SURESH KHAIRNAR

PETITIONER(S)

VERSUS

SURESH SUKHDEO KHAIRNAR

RESPONDENT(S)

ORDER

1. The petitioner-wife has filed the present petition under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of a petition for divorce filed by the respondent-husband under Section 13(1)(i-a) of the Hindu Marriage Act, 1955 bearing Matrimonial Petition No.1367/2022 titled "*Suresh Sukhdeo Khairnar Vs.Poonam Suresh Khairnar*" pending before the Court of the Civil Judge, Senior Division, Kalyan, Thane, Maharashtra to the Family Court at Bhopal, Madhya Pradesh.
2. Having heard learned counsel for the parties and on examining the grounds taken in the transfer petition, we direct transfer of Matrimonial Petition No.1367/2022 titled "*Suresh Sukhdeo Khairnar Vs.Poonam Suresh Khairnar*" pending before the Court of Civil Judge, Senior Division, Kalyan, Thane, Maharashtra to the Family Court at Bhopal, Madhya

Pradesh.

3. The record of the case be transferred immediately to the Transferee Court.
4. Further, liberty is granted to the respondent-husband to move an appropriate application before the Transferee Court for permission to participate in the proceedings virtually. If such a request is made, the Transferee Court may grant such permission and direct the personal presence of the respondent-husband only when it is absolutely necessary. Further, if examination of the outstation witnesses is required and a request is made for recording the evidence through a Court Commissioner, the Transferee Court shall consider the same and pass appropriate orders.
5. The Transfer Petition is allowed on the above terms. Pending application(s), if any, shall stand disposed of.

.....J.
(HIMA KOHLI)

.....J.
(RAJESH BINDAL)

NEW DELHI;
02nd AUGUST, 2023

ITEM NO.8

COURT NO.11

SECTION XVI-A

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

Transfer Petition(s)(Civil) No(s). 222/2023

POONAM SURESH KHAIRNAR

Petitioner(s)

VERSUS

SURESH SUKHDEV KHAIRNAR

Respondent(s)

(FOR ADMISSION and IA No.18049/2023-STAY APPLICATION and IA
No.18050/2023-EXEMPTION FROM FILING O.T.)

Date : 02-08-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. Kartik Pandey, Adv.
Mr. Pranjal Kishore, AOR

For Respondent(s) Mr. Dharav Shah, Adv.
Mr. Dhawal Desai, Adv.
Mr. Pranaya Goyal, AOR

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

The transfer petition is allowed in terms of
the signed order. Pending application(s), if any,
shall stand disposed of.

(Geeta Ahuja)
Assistant Registrar-cum-PS
(Signed Order is placed on the file)

(Nand Kishor)
Court Master (NSH)