

ITEM NO.5

COURT NO.8

SECTION XVIA

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

TRANSFER PETITION (CIVIL) NO(S). 449/2015

APARNA MANDAL

PETITIONER(S)

VERSUS

DEEPAK KUMAR
(WITH APPLN. (S) FOR STAY AND OFFICE REPORT)

RESPONDENT(S)

Date : 09/10/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)

Mr. Rajat Arora, Adv.
Mr. Jaypreet Singh, Adv.
Mr. A. Venayagam Balan, Adv.

For Respondent(s)

Mr. Sureshan P., Adv.
Mr. Vishnu Sharma, Adv.UPON hearing the counsel the Court made the following
O R D E RThe transfer petition is allowed in terms of the
signed order.[VINOD LAKHINA]
COURT MASTER[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

Signature Not Verified

Digitally signed by
Vinod Lakhina
Date: 2015.10.10
13:03:28 IST
Reason:

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.449/2015

APARNA MANDAL

...PETITIONER

VERSUS

ORDER

1. Heard the learned counsels for the parties.

2. The ground on which the transfer prayed for has been resisted is that the petitioner-wife had made an incorrect statement to the effect that she is unemployed. The fact of her employment having been pointed out in the counter of the respondent, the petitioner-wife in rejoinder states that she is residing in Malda, West Bengal where she is employed.

3. Having considered the matter, we are of the view that for the above misstatement the petitioner-wife should not be non-suited. There is no denial of the fact that she is living in Malda, West Bengal and is working there. In such

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circumstances, we allow the prayer for transfer. Therefore, Matrimonial Suit No.253 of 2014, titled as "Deepak Kumar Vs. Aparna Mandal", pending before the Court of Principal Judge, Family Court, Jamshedpur, Jharkhand is ordered to be transferred to the Court of District Judge, District Courts, Malda at West Bengal. The Family Court, Jamshedpur, Jharkhand shall send the case record to the transferee Court promptly and without any delay.

4. The transfer petition is accordingly allowed.

5. After transfer of the petition, the transferee Court is directed to make all endeavour

either for amicable settlement, failing which for
early decision in the main matter without
unnecessary adjournments.

.....,J.
(RANJAN GOGOI)

.....,J.
(N.V. RAMANA)

NEW DELHI
OCTOBER 09, 2015