

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 896/2023

SHWETHA VISHNU BINNY @ K. SHWETHA

Petitioner(s)

VERSUS

VISHNU VENKATESH BINNY @ VISHNU BINNY

Respondent(s)

O R D E R

This is a petition filed under Section 25 of the Code of Civil Procedure, 1908 (for short "CPC"). The petitioner is the wife of the respondent.

The petitioner has filed this transfer petition seeking the following reliefs:

"a) Transfer of Marriage Petition No.860 of 2022 (titled Vishnu Venkatesh Binny @ Vishnu Binny Vs. Shwetha Vishnu Binny @ K. Shwetha) filed by the respondent herein before Civil Court Senior Division, Hon'ble 3rd Jt. Civil Judge, S. D. Panvel, Raigad District, Maharashtra State to Family Court/competent Court, at Hyderabad, State of Telangana.

b) and pass any other or further orders, as may be deemed fit and proper in the light of the facts and circumstances of the case."

On perusal of the office report, it is noted that the respondent has refused service of notice issued by this Court. It is held that there is deemed service of notice on the respondent.

In the circumstances, we have heard only learned counsel for the petitioner.

Contd..

Having heard learned counsel for the petitioner and on perusal of the material on record, we find that the petitioner has made out a case for transfer of the aforesaid petition.

In the result, the transfer petition is allowed and Marriage Petition No.860 of 2022 (titled Vishnu Venkatesh Binny @ Vishnu Binny Vs. Shwetha Vishnu Binny @ K. Shwetha) pending before Civil Court Senior Division, Hon'ble 3rd Jt. Civil Judge, S. D. Panvel, Raigad District, Maharashtra State is ordered to be transferred to Family Court/competent Court, at Hyderabad, State of Telangana.

Registry to communicate this order to the transferor court for taking steps in accordance with this order.

.....J.
(B.V. NAGARATHNA)

.....J.
[S.V.N. BHATTI]

NEW DELHI
NOVEMBER 22, 2023

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). 896/2023

SHWETHA VISHNU BINNY @ K. SHWETHA

Petitioner(s)

VERSUS

VISHNU VENKATESH BINNY @ VISHNU BINNY

Respondent(s)

(FOR ADMISSION and IA No.71813/2023-STAY APPLICATION
IA No. 71813/2023 - STAY APPLICATION)

Date : 22-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. D. Srinivas, Adv.
Mr. Sadam Satyanarayana Raja Yadav, Adv.
Mr. Srinivas Rao Ambaji, Adv.
Mr. Avadhesh Kumar Dubey, Adv.
Mr. Somanatha Padhan, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RThe Transfer Petition is allowed in terms of the signed
order.

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

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS(RAM SUBHAG SINGH)
COURT MASTER (NSH)

(signed order is placed on the file)