

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 1836 OF 2023

KARISHMA ARYA

PETITIONER

VERSUS

MAJOR AKHIL BHASKAR

RESPONDENT

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 annulment of marriage by grant of decree of nullity filed by the respondent-husband under Section 12(1)(C) of the Hindu Marriage Act, 1955 bearing DMC No.1345/2022 titled “**Major Akhil Bhaskar Vs. Karishma Arya**”, pending before the Court of the Principal Judge, Family Court, Hisar, Haryana to the Family Court, Sikar, Rajasthan.
2. Though service of notice on the respondent is complete, no one has entered appearance on his behalf. Even today, the respondent remains unrepresented.
3. Having heard learned counsel for the petitioner-wife and on examining the grounds taken in the transfer petition, we direct transfer of DMC No.1345/2022 titled “**Major Akhil Bhaskar Vs. Karishma Arya**” pending before the Court of the Principal Judge, Family Court, Hisar, Haryana to the Family Court, Sikar, Rajasthan.

4. The record of the case be transferred immediately to the transferee Court.
5. 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.
6. The Transfer Petition is allowed on the above terms. Pending application(s), if any, are disposed of.

.....J.
(HIMA KOHLI)

.....J.
(RAJESH BINDAL)

**NEW DELHI;
13th SEPTEMBER, 2023.**

ITEM NO.6

COURT NO.13

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

Transfer Petition(s)(Civil) No(s). 1836/2023

KARISHMA ARYA

Petitioner(s)

VERSUS

MAJOR AKHIL BHASKAR

Respondent(s)

(A No. 124559/2023 - EX-PARTE STAY)

Date : 13-09-2023 This petition was called on for hearing today.

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

For Petitioner(s) Ms. Asmita Singh, AOR
 Mr. Gautam Narayan, Adv.
 Ms. Asmita Singh, Adv.
 Mr. Harshit Goel, Adv.
 Mr. Siddhant Singh, Adv.

For Respondent(s)

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

1. The Transfer Petition is allowed in terms of the signed order.
2. Pending application(s), if any, are disposed of.

(SWETA BALODI)
 COURT MASTER (SH)

(NAND KISHOR)
 COURT MASTER (NSH)

(Signed order is placed on the file)