

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NOS. 1441-1442 OF 2022

HENNA KAMAL PUNJABI

Petitioner(s)

VERSUS

KAMAL HIRALAL PUNJABI

Respondent(s)

O R D E R

We are not inclined to pass an order of transfer in Petition No. D-50/2019 titled "*Kamal Hiralal Punjabi vs. Henna Kamal Punjabi*", as the children are residing and studying in Mumbai. However, it will be open to the petitioner, namely Henna Kamal Punjabi, to appear in the said proceedings through video conferencing mode, if the said facility is available.

However, having heard counsel for the parties, the averments made in the transfer petition, and in the interest of justice, we are inclined to transfer, Petition No. A-1458/2019, titled "*Kamal Hiralal Punjabi vs. Heena Kamal Punjabi*".

Accordingly, petition No. A-1458/2019 titled "*Kamal Hiralal Punjabi vs. Heena Kamal Punjabi*", pending before the Family Court at Bandra, Mumbai, Maharashtra is directed to be transferred to the Court of Principal Judge, Family Court at Ahmedabad, Gujarat who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be immediately transferred to the

transferee court.

The parties are directed to appear, either in person or through an authorized representative, before the transferee court on 20<sup>th</sup> October, 2022. However, in case there is non-appearance, court notice would be issued to the defaulting party.

The parties may explore the possibility of settlement through mediation. The transferee court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

Accordingly, the transfer petitions are partly allowed. Prayer for transfer of Petition No. D-50/2019 titled "*Kamal Hiralal Punjabi vs. Henna Kamal Punjabi*" is rejected. However, transfer of Petition No. A-1458/2019, titled "*Kamal Hiralal Punjabi vs. Heena Kamal Punjabi*" is allowed in the aforesaid terms.

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

.....J.  
(SANJIV KHANNA)

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

New Delhi  
6<sup>th</sup> September, 2022.

ITEM NO.23

COURT NO.12

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). 1441-1442/2022

HENNA KAMAL PUNJABI

Petitioner(s)

VERSUS

KAMAL HIRALAL PUNJABI

Respondent(s)

(IA No.90856/2022-STAY APPLICATION)

Date : 06-09-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
 HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Siddhant Sharma, Adv.  
 Mr. Karan Bharihoke, AOR  
 Mr. Arvind Aggarwal, Adv.

For Respondent(s) Mohd. Parvez Dabas, Adv.  
 Mr. Uzmi Jameel Husain, Adv.  
 Mr. Nadeem Qureshi, Adv.  
 Mr. Amir Dabas, Adv.  
 Mr. Syed Mehdi Imam, AOR

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

The transfer petitions are partly allowed. Prayer for transfer of Petition No. D-50/2019 titled "*Kamal Hiralal Punjabi vs. Henna Kamal Punjabi*" is rejected. However, transfer of Petition No. A-1458/2019, titled "*Kamal Hiralal Punjabi vs. Heena Kamal Punjabi*" is allowed in terms of the signed order.

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

(SNEHA)  
 SENIOR PERSONAL ASSISTANT

(R.S. NARAYANAN)  
 COURT MASTER (NSH)

(Signed order is placed on the file.)