

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). 950/2020

APARNA

Petitioner(s)

VERSUS

PRADEEP

Respondent(s)

(FOR ADMISSION and IA No.85916/2020-EX-PARTE STAY)

Date : 22-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. L.S.M. Hasan Fizal, Adv.
Mr. Mahendra Babu, Adv.
Gouhar Un Nissa, Adv.
Mr. Abdul Samath, Adv.
Mr. Daniel Mary, Adv.
Mr. A. Lakshminarayanan, AOR

For Respondent(s)

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

The petitioner (wife) seeks transfer of the case for Restitution of Conjugal Rights filed by the respondent (husband), pending in the Court at Palakkad, Kerala to a competent court at Chennai.

Mr. L.S.M. Hasan Fizal, learned counsel submits that the petitioner and the respondent are trained Micro-Biologists who after marriage were staying in Germany. The petitioner continues to work as a research fellow, in Germany.

It is further submitted that the petitioner faced torture in the matrimonial home and that is why she has to return alone to India in October, 2017. The respondent has filed the Restitution case in Kerala although, he, according to the information available

with the counsel for the petitioner, is working as a Micro-Biologist in Chennai or in Bangalore.

Learned counsel next submits that the couple is trying to resolve their matrimonial dispute.

In view of above, let notice returnable in four weeks be issued. Dasti, in addition, is also permitted.

In the meantime, there shall be stay of further proceedings in O.P. No.90 of 2020 titled as "*Pradeep vs. Aparna*", pending in the court at Palakkad, Kerala.

(RASHI GUPTA)
SENIOR PERSONAL ASSISTANT

(POONAM VAID)
COURT MASTER (NSH)