

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

TRANSFER PETITION (CIVIL) NO.87/2023

PRITI DINESHBHAI SHUKLA

.....Petitioner

VERSUS

MANISH RAJNIKANT PANDYA

.....Respondent

O R D E R

1. The petitioner-wife seeks transfer of an application for restitution of conjugal rights filed under Section 9 of the Hindu Marriage Act, 1955 which are subject matter of HMA No.35 of 2022, titled as "Manish Rajnikant Pandya Vs. Priti Dineshbhai Shukla" pending before the Additional District and Sessions Judge, Sagwara Court (Dungarpur) Rajasthan to a competent Court at Ahmedabad, Gujarat.
2. As per the office report dated 19th August, 2023, service of notice is complete on the respondent-husband. Despite the same, the respondent-husband is unrepresented.
3. Having heard learned counsel for the petitioner-wife and on examining the grounds taken in the transfer petition, we direct transfer of HMA No.35 of 2022, titled as "Manish Rajnikant Pandya Vs. Priti Dineshbhai Shukla" pending before the Additional District and Sessions Judge, Sagwara Court (Dungarpur) Rajasthan to a competent Court at Ahmedabad, Gujarat.
4. The records of the case be transferred forthwith 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 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.
7. Pending application(s), if any, shall stand disposed of.

.....J.
[HIMA KOHLI]

.....J.
[RAJESH BINDAL]

**NEW DELHI;
AUGUST 23, 2023.**

ITEM NO.2

COURT NO.11

SECTION XV

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). 87/2023

PRITI DINESHBHAI SHUKLA

Petitioner(s)

VERSUS

MANISH RAJNIKANT PANDYA
IA No. 7762/2023 - EX-PARTE STAY

Respondent(s)

Date : 23-08-2023 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. R. Nedumaran, AOR

For Respondent(s)

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

The Transfer Petition is allowed in terms of the signed order.

Pending application stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS(NAND KISHOR)
COURT MASTER (NSH)

[Signed order is placed on the file]