

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.622 OF 2020

NEHA BHARGAVA

PETITIONER(S)

VERSUS

GOURAV BHARGAVA

RESPONDENT(S)

O R D E R

The petitioner seeks transfer of the Matrimonial Suit No.36/2020 carrying the cause title "Gourav Bhargava vs. Neha Bhargava" instituted in the Court of learned District Judge, Paschim Medinipore, West Bengal to the Family Court, Jorhat, Assam. The suit instituted by the husband is for dissolution of marriage between the parties under Section 13 of the Hindu Marriage Act, 1955.

Admitted position is that the parties were last residing together within the jurisdiction of the Court in which the suit has been instituted. The petitioner/wife's case is that her parental home is in Jorhat, Assam and it would be extremely difficult for her to travel to Paschim Medinipore, West Bengal to defend the suit.

Having considered the respective submissions, I am of the opinion that interest of justice would be served if the suit is tried in the Family Court at Guwahati, Assam. Inconvenience in conducting the proceeding will be minimized if the petition for divorce is tried at Guwahati,

having regard to its accessibility geographically from the respective locations of the parties. I accordingly direct transfer of the Matrimonial Suit No.36 of 2020 pending in the Court of learned District Judge, Paschim Medinipore, West Bengal to the Family Court at Guwahati, Assam. On transfer, the Family Court shall proceed with the petition from the stage it had reached in the Court of District Judge, Paschim Medinipore, West Bengal.

Let the records of the case be transferred to the transferee Court forthwith.

The transfer petition is allowed in the above terms. All connected applications shall stand disposed of.

.....J.  
(ANIRUDDHA BOSE)

New Delhi;  
November 11, 2021

ITEM NO.4

COURT NO.9

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).622/2020

NEHA BHARGAVA

Petitioner(s)

VERSUS

GOURAV BHARGAVA

Respondent(s)

(IA No.51196/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT, IA No.79125/2020 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No.35844/2021 - EXEMPTION FROM FILING O.T., IA No.51195/2020 - STAY APPLICATION)

Date : 11-11-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Abhimanyu Tewari, AOR  
Ms. Aatrayi Das, Adv.  
Mr. Hanumant Singh, Adv.

For Respondent(s) Mr. Chand Qureshi, Adv.  
Mr. Hiren Dasan, AOR

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(s), if any, stands disposed of.

(ARJUN BISHT)  
COURT MASTER (SH)

(PRADEEP KUMAR)  
BRANCH OFFICER

(signed order is placed on the file)