

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.630 OF 2020

CHARU BHATNAGAR

PETITIONER

VERSUS

AJIT KOTHARI & ANR.

RESPONDENTS

O R D E R

The Court is convened through Video Conferencing.

The petitioner has approached this court for transfer of Original Suit (Guardian Petition) No.2/2020 titled as "*Ajit Kothari & Anr. Vs. Charu Bhatnagar*" pending in the Court of Judicial Commissioner, Ranchi, Jharkhand to District Judge, Alipore, South 24, Parganas, Kolkata (West Bengal). During the pendency of this Transfer Petition, the first respondent has unfortunately passed away.

Interlocutory Application No. 78009 of 2021

Interlocutory Application is allowed only to the extent of bringing on record legal heirs of Respondent No. 1. Counsel for the petitioner has not pressed other prayers cited in the application.

Nevertheless, learned counsel for the remaining contesting respondent, namely, Respondent No. 2 fairly states that she has no objection if the above-mentioned proceedings under the Guardians and wards Act, 1890 are transferred from the Court of Judicial Commissioner, Ranchi, Jharkhand to District Judge, Alipore, South 24, Parganas, Kolkata (West Bengal).

In view of the above-stated stand taken on behalf of Respondent No. 2, the instant Transfer Petition is allowed and Original Suit (Guardian Petition) No.2/2020 titled as "*Ajit Kothari & Anr. Vs. Charu Bhatnagar*" pending before the Court of Judicial Commissioner, Ranchi, Jharkhand is ordered to be transferred to the Court of District Judge, Alipore.

The Original Record shall be transferred to the transferee Court immediately.

Keeping in view the peculiar nature of the case, it is directed that the transferee Court shall firstly make an effort for amicable resolution of the dispute through mediation and it is only if the mediation fails that the Court shall proceed on merits.

NEW DELHI
19th JULY, 2021

.....J
(SURYA KANT)

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). 630/2020

CHARU BHATNAGAR

Petitioner(s)

VERSUS

AJIT KOTHARI & ANR.

Respondent(s)

(MEDIATION REPORT HAS BEEN RECEIVED

IA No. 73492/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 52167/2020 - EX-PARTE STAY

IA No. 52168/2020 - EXEMPTION FROM FILING O.T.)

Date : 19-07-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Manish Sharma, Adv.
Mr. Ninad Dogra, AOR

For Respondent(s) Mrinal Gopal Elker, AOR

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

Transfer Petition is allowed in terms of the signed
order.

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

(NEETU SACHDEVA)
COURT MASTER (SH)

(SAROJ KUMARI GAUR)
COURT MASTER (NSH)

(signed order is placed on the file)

