

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 651/2020

NEELAM YADAV

PETITIONER

VERSUS

NAVEEN YADAV

RESPONDENT

O R D E R

Heard the learned Counsel for the petitioner.

As per the office report, the respondent is duly served with the notice, but none has caused appearance for the respondent.

The petitioner is the wife and the respondent is the husband. The petitioner is a resident of Rewari, Haryana, and the respondent is a resident of Delhi.

There are three proceedings pending between the parties. The first is a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by the petitioner-wife in a competent Court at Rewari. The second is a petition filed by the petitioner-wife under Section 125 of the Code of Criminal Procedure, 1973, which is stated to be pending in the Court of the learned Principal Judge, Family Court, Rewari. The respondent-husband has filed a petition for divorce, which is pending before the Family Court at Dwarka in

New Delhi and the prayer in this petition is for the transfer of the said petition to the Family Court at Rewari, Haryana.

It is pleaded by the petitioner that she is residing at Rewari along with her parents and she finds it extremely difficult to travel to Delhi to attend the proceedings of the divorce petition in the Court at Delhi. Moreover, there are two proceedings pending between the parties in the Courts at Rewari.

Accordingly, a case is made out for transfer.

Accordingly, the transfer petition is allowed and I pass the following order:

I. H.M.A. No. 475 of 2020 titled as "*Naveen Yadav Vs. Neelam Yadav*" pending in the Court of learned Principal Judge, Family Court, Dwarka, New Delhi is hereby transferred to the Court of learned Principal Judge, Family Court, Rewari, Haryana.

II. The petition filed by the petitioner-wife under Section 125 of the Code of Criminal Procedure, 1973, being M.C. No. 854/2019 and the transferred petition shall be heard together.

Let the records of the case be transferred to the concerned court without delay.

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

..... J.
(ABHAY S. OKA)

NEW DELHI;
NOVEMBER 9, 2021.

ITEM NO.23

COURT NO.14

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

TRANSFER PETITION (CIVIL) NO. 651/2020

NEELAM YADAV

PETITIONER(S)

VERSUS

NAVEEN YADAV

RESPONDENT(S)

(FOR ADMISSION and IA No.54691/2020-STAY APPLICATION)

Date : 09-11-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)

Mr. Sachin Sharma, AOR
Mr. Anil Kr. Gulati, Adv.
Mr. Rahul Gaur, Adv.
Mr. Satyavrat Sharma, Adv.

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

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)

(Signed order is placed on the file.)