

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CIVIL) NO(S).826/2020

VIJETA DHANER

Petitioner(s)

VERSUS

VINESH DHANER

Respondent(s)

O R D E R

We have heard Mr. Kaustubh Shukla, learned counsel appearing for the petitioner (Wife) and Mr. Hrishikesh Jha, learned counsel appearing for the respondent(husband).

The Petitioner seeks transfer of the divorce case filed by the respondent from the Court of First Additional Principal Judge, Family Court, Raipur, Chhattisgarh to Principal Judge, Family Court, Bhopal, Madhya Pradesh.

Opposing the above plea, the respondent would contend that he has an aged ailing mother and if she has to give evidence at Bhopal, she will have serious difficulty.

The records would indicate that there are other proceedings pending at Bhopal where the respondent has to appear.

Considering the circumstances in this case, we deem it appropriate to order for transfer of Hindu Marriage Act Case No.439/2018 titled "*Vinesh Dhaner v. Vijeta Dhaner*" from the

Court of First Additional Principal Judge, Family Court, Raipur, Chhattisgarh to Principal Judge, Family Court, Bhopal, Madhya Pradesh.

The Court of First Additional Principal Judge, Family Court, Raipur, Chhattisgarh shall send the case records to the transferee Court without any delay.

We further observe that if an application is made by the respondent before the Court in question at Bhopal for examination of his mother through virtual or any other mode, the same would be appropriately considered by the Court.

With the above order, the transfer petition stands allowed.

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

.....J.
(HRISHIKESH ROY)

.....J.
(DIPANKAR DATTA)

NEW DELHI;
FEBRUARY 15, 2023

ITEM NO.4

COURT NO.15

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(s)(Civil) No(s). 826/2020

VIJETA DHANER

Petitioner(s)

VERSUS

VINESH DHANER

Respondent(s)

(FOR ADMISSION and IA No.68816/2020-EX-PARTE STAY
IA No. 68816/2020 - EX-PARTE STAY)

Date : 15-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s)

Mr. Kaustubh Shukla, AOR

For Respondent(s)

Mr. Hrishikesh Jha, Adv.
Mr. Yash Prakash, Adv.
Mr. Ishan Jain, Adv.
Mr. Harisha S.R., 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, shall stand disposed of.

(DEEPAK JOSHI)
COURT MASTER (SH)

(KAMLESH RAWAT)
COURT MASTER (NSH)

(Signed Order is placed on the File)