

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(s)(Civil) No(s). 3030/2019

SANGEETA MANGLA

Petitioner(s)

VERSUS

RAHUL MANGLA

Respondent(s)

O R D E R

On perusal of the Office Report dated 18.08.2022, it is noted that the respondent was served on 13.08.2021 but no one has entered appearance on his behalf so far.

There is no appearance on behalf of the respondent today also. In the circumstances, I have heard learned counsel for the petitioner only.

This transfer petition has been filed under Section 25 of the Code of Civil Procedure, 1908 read with Order XLI of the Supreme Court Rules, 2013 seeking transfer of HMA Divorce Petition No.150 of 2019 titled as "*Sh. Rahul Mangla vs. Sangeeta Mangla*" pending in the Court of Civil Judge, Senior Division at Jaipur Mahanagar, Rajasthan to the Court of the competent jurisdiction in Faridabad District Court, Haryana.

Since there is no representation on behalf of the

learned counsel for the respondent, I have heard learned counsel for the petitioner and perused the material on record.

Petitioner's counsel submitted that the petitioner intends to contest the aforesaid Divorce Petition but she is presently residing at Faridabad which is about 275 kilometers away from Jaipur. She is residing with her brother and it is difficult for her to contest the aforesaid case owing to the distance between her place of residence and the Court before which the matter is pending and also due to financial stringencies and other logistical reasons. He further submitted that she has a minor child to look after and hence, it is not possible for the petitioner to appear before the Court at Jaipur. The learned counsel for the petitioner, therefore, submitted that this petition may be allowed.

Having regard to the submissions made by learned counsel for the petitioner and on perusal of the material on record and in the absence of there being any contest by the respondent, the petitioner has made out a case for transfer of the proceedings pertaining to HMA Divorce Petition No.150 of 2019 titled as "*Sh. Rahul Mangla vs. Sangeeta Mangla*" pending in the Court of Civil Judge,

Senior Division at Jaipur Mahanagar, Rajasthan to the Court of the competent jurisdiction in Faridabad District Court, Haryana.

Since the respondent has not appeared before this Court on transfer of the said case, the said Court i.e. Faridabad District Court shall issue notice not only to the petitioner herein but also to the respondent herein and thereafter proceed to dispose of the case in accordance with law.

In the result, the transfer petition is allowed and disposed of in the aforesaid terms.

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

.....J.
[B.V. NAGARATHNA]

New Delhi;
August 22, 2022.

ITEM NO.1608

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
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). 3030/2019

SANGEETA MANGLA

Petitioner(s)

VERSUS

RAHUL MANGLA

Respondent(s)

IA No. 184630/2019 - EXEMPTION FROM FILING O.T.

Date : 22-08-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Shashibhushan P. Adgaonkar, AOR

For Respondent(s)

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

The transfer petition is allowed and disposed of in terms of the signed Order.

(JATINDER KAUR)
SENIOR PERSONAL ASSISTANT

(RANJANA SHAILEY)
COURT MASTER (NSH)

[Signed order is placed on the file]