

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CIVIL) NO(S). 823/2019

UDAYINI ARORA

Petitioner(s)

VERSUS

RAHUL ARORA

Respondent(s)

O R D E R

This is a petition filed under Section 25 of the Code of Civil Procedure, 1908, seeking transfer of H.M.A. No. 3494 of 2018 (though the number is shown as 349 of 2018 in the prayer, learned counsel for the petitioner points out that the number is 3494/2018. In regard to this he has drawn my attention to the order dated 01.05.2019 passed by this Court) titled as "Rahul Arora versus Udayini Arora" pending in the Court of the Principal Judge, Family Court, Tis Hazari Courts, District West, Delhi to the Court of District Judge, S.A.S. Nagar, Punjab.

Heard learned counsel for the petitioner. Learned

counsel for the petitioner submits that the Office report dated 14.05.2020 indicates that as per postal tracking report notice has been delivered to the respondent on 20.01.2020, but none has entered appearance on his behalf so. Undoubtedly, it is noted in the same office report that the learned counsel for the petitioner has not furnished the particulars of the learned counsel representing the respondent in the Trial Court, hence, dasti through counsel representing the respondent in the Trial Court could not be issued so far. However, having regard to the report that the sole respondent is served, the Court proceeds on the basis that the respondent is served.

Having heard learned counsel for the petitioner and having considered the facts and circumstances of the case, I am inclined to allow this transfer petition. Accordingly, H.M.A. No. 3494 of 2018 titled as "Rahul Arora versus Udayini Arora" pending in the Court of the Principal Judge, Family Court, Tis Hazari Courts, District West, Delhi is transferred to the Court of District Judge, S.A.S. Nagar, Punjab.

The Court of the Principal Judge, Family Court, Tis

Hazari Courts, District West, Delhi shall transfer the records of the case promptly and at the earliest.

The Transferee Court shall make all efforts to bring about a settlement of the disputes, if possible, and if not, it will proceed to dispose of the matter on merits as early as possible.

The Transfer Petition is allowed accordingly.

.....J.
[K.M. JOSEPH]

NEW DELHI;
MAY 29, 2020.

ITEM NO.11

VC NO.06

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). 823/2019

UDAYINI ARORA

Petitioner(s)

VERSUS

RAHUL ARORA

Respondent(s)

IA No. 65008/2019 - STAY APPLICATION)

Date : 29-05-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Suneet Kumar, Adv.
Mr. Amarjeet Singh, AOR

For Respondent(s)

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

The Court is convened through the video conferencing.

The transfer petition is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of
accordingly.(ASHWANI KUMAR)
COURT MASTER (SH)(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file)