

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 839 OF 2020

UPINDER DINESH ARORA

PETITIONER

VERSUS

DINESH RAMESH CHANDRA ARORA

RESPONDENT

O R D E R

We have heard Ms. Jesal Wahi, learned counsel for the petitioner (Wife) and Mr. Vishal Arun Mishra, learned counsel for the respondent (husband).

The respondent has filed counter affidavit opposing the prayer for transfer and submits that because he has an aged mother, it would be difficult for him to conduct his divorce case at Vadodara, Gujarat.

On the other hand, the petitioner would submit that although maintenance was ordered to be paid by the respondent to the petitioner, bulk of maintenance amount has not been disbursed and she will have serious difficulty to contest the divorce case filed by the respondent at Thane.

Having heard the learned counsel for the parties and considering the pleadings in the case, we allow the transfer petition. Accordingly, M.J. Petition No. 291 of 2015 titled "*Mr. Dinesh Ramesh Chandra Arora v. Mrs. Upinder Dinesh Arora*", pending before the Court of the Civil Judge (Senior Division) Thane Court, at Thane, Maharashtra is directed to be transferred to the Family Court, Vadodara, Gujarat, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be immediately transferred to the transferee court.

The parties are directed to appear, either in person or through an authorized representative or through video-conferencing if the said facility is available, before the transferee court. However, in case there is non-appearance, court notice would be issued to the defaulting party.

The parties may explore the possibility of settlement through mediation. The transferee court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

The transferee court would decide the matter expeditiously.

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

.....J.
(HRISHIKESH ROY)

.....J.
(C.T. RAVIKUMAR)

NEW DELHI;
MARCH 01, 2023

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. 839/2020

UPINDER DINESH ARORA

PETITIONER

VERSUS

DINESH RAMESH CHANDRA ARORA

RESPONDENT

(FOR ADMISSION and IA No.71160/2020-STAY APPLICATION and IA No.71161/2020-EXEMPTION FROM FILING O.T.
IA No. 71161/2020 - EXEMPTION FROM FILING O.T.
IA No. 71160/2020 - STAY APPLICATION)

Date : 01-03-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE C.T. RAVIKUMARFor Petitioner(s) Ms. Jesal Wahi, AOR
Mr. Kabir Hathi, Adv.For Respondent(s) Mr. Vishal Arun Mishra, Adv.
Ms. Harshita, Adv.
Mr. Pawan Kumar, Adv.
Mr. Alok Tripathi, Adv.
Mr. Dinesh Kumar, Adv.
Mr. Ujjwal Bhardwaj, Adv.
Mr. Aitesh Shahi, Adv.
M/S. Mukesh Kumar Singh And Co., AOR

UPON hearing the counsel the Court made the following

O R D E R

The Transfer Petition stands allowed in terms of the signed order.

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

(NITIN TALREJA)
COURT MASTER (SH)(KAMLESH RAWAT)
ASSISTANT REGISTRAR

(Signed order is placed on the file)