

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION(CIVIL) NO. 898/2020

PROMILA

Petitioner

VERSUS

MANISH KUMAR

Respondent

O R D E R

1. The present petition has been filed by the petitioner-wife praying, inter alia, for transfer of a petition filed by the respondent-husband under Sections 13(1)(ib) of the Hindu Marriage Act, 1955 being HMA No.396 of 2020 titled as 'Manish Kumar vs. Promila' from the Family Court, Tis Hazari, Delhi to the Family Court, Rohtak, Haryana.

2. Learned counsel for the petitioner-wife states that the parties had got married in the year 2001 and are blessed with two children, both of whom are residing with the petitioner-wife at Rohtak, Haryana along with her parents. She states that though, the distance between Delhi and Haryana is not much, but the petitioner-wife is finding it difficult to travel to Delhi to attend the hearings, as she has to attend to the children.

3. Though, counter affidavit in opposition to the present petition has been filed, learned counsel for the respondent-husband does not deny the fact that both the children of the parties are residing with the petitioner-wife at her parental home and that she is unemployed.

4. Having regard to the facts of the present case, the transfer petition is allowed. HMA No.396 of 2020 titled as 'Manish Kumar vs.

Promila', filed by the respondent-husband is directed to be transferred from the Family Court, Tis Hazari, Delhi to the Family Court, Rohtak, Haryana, forthwith. The Transferor Court is direct to transmit the records pertaining to HMA No. 396 of 2020 titled "Manish Kumar v. Promila" to the transferee court forth with.

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

..... J.
[HIMA KOHLI]

New Delhi;
October 25, 2021.

ITEM NO.13 Court 17 (Video Conferencing)

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.898/2020

PROMILA

Petitioner

VERSUS

MANISH KUMAR

Respondent

(FOR ADMISSION and IA No.78380/2020-EX-PARTE STAY)

Date : 25-10-2021 This matter was called for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Ms. Archana Midha, Adv.
Mr. Vineet Bhagat, AOR
Mr. K. G. Bhagat, Adv.
Ms. Manju Bhagat, Adv.

For Respondent(s) Mr. Chandan Kumar, AOR
Mr. Vibhas Jham, Adv.
Mr. Rajiv Singh, Adv.

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, stand disposed of.

(ARUSHI SUNEJA)
SENIOR PERSONAL ASSISTANT

(RAM SUBHAG SINGH)
BRANCH OFFICER

(Signed order is placed on the file)