

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 880 OF 2020

KIRTI SHARMA

Petitioner(s)

VERSUS

ASHWINI SARASWAT

Respondent(s)

O R D E R

The petitioner herein is wife of the respondent. This petition has been filed by the wife under Section 25 of the Code of Civil Procedure, 1908 read with Rule 1, Order XLI of the Supreme Court Rules, 2013 seeking transfer of MC No.6438/2019 titled as "Ashwini Saraswat Vs. Kirti Sharma" filed by the respondent herein and which is pending before the learned Principal Judge, Family Court, Bangalore, Karnataka to the Court of the Principal Judge, Family Court, Medta City, District - Naguar, Rajasthan. The aforesaid petition has been filed by the respondent seeking dissolution of marriage by a decree of divorce under Section 13(1), (1-a) and (1-b) of the Hindu Marriage Act, 1955.

I have heard learned counsel appearing on behalf of the respective parties.

Learned counsel appearing for the respondent submitted that in principle, the respondent has no objection as such to the transfer of the aforesaid case to the Court of competent jurisdiction at Medta City, District - Naguar, Rajasthan. However,

Contd..

he has submitted that a direction may be issued to the said Court to dispose of the proceedings as expeditiously as possible since there is an irretrievable breakdown of the marriage between the parties.

In view of the above submissions and having regard to the prayer sought for by the petitioner, this Transfer Petition is allowed/disposed of.

Consequently, MC No.6438/2019 titled as "Ashwini Saraswat Vs. Kirti Sharma" which is pending before the learned Principal Judge, Family Court, Bangalore, Karnataka is transferred to the Court of learned Principal Judge, Family Court, Medta City, District - Naguar, Rajasthan.

On such transfer, the Court of learned Principal Judge, Family Court, Medta City, District - Naguar, Rajasthan to dispose of the proceedings as expeditiously as possible. It is needless to observe that both the parties shall cooperate with the said Court for an expeditious disposal of the aforementioned proceeding.

..... J.
(B.V. NAGARATHNA)

NEW DELHI;
AUGUST 08, 2022.

ITEM NO.1603

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
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No. 880/2020

KIRTI SHARMA

Petitioner(s)

VERSUS

ASHWINI SARASWAT

Respondent(s)

(IA No. 75981/2020 - EX-PARTE STAY
IA No. 75982/2020 - EXEMPTION FROM FILING O.T.)

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

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Arvind Shukla, Adv.
Ms. Reetu Sharma, AOR
Mr. Vasu Chaudhary, Adv.
Ms. Neena Shukla, Adv.
Mr. Amit Kumar, Adv.
Mr. Nihaal Ahmad, Adv.
Mr. Shantanu Shukla, Adv.

For Respondent(s) Mr. Abdul Azeem Kalebudde, AOR

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

The Transfer Petition is allowed/disposed of in terms of
the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR

(signed order is placed on the file)