

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.919 OF 2020
WITH
INTERLOCUTORY APPLICATION NO.41858 OF 2021

KOPAL GARG

PETITIONER

VERSUS

SHAILESH GARG

RESPONDENT

O R D E R

The petitioner is before this Court seeking transfer of the petition bearing No.MC/5901/2019 titled as "*Shailesh Garg vs. Kopal Garg*", pending before the court of Principal Judge, Family Court, Bengaluru, Karnataka to the court of Principal Judge, Family Court, Agra, Uttar Pradesh. Though attempts were made to mediate the dispute between the parties the same has failed.

In that view, the only course open is to transfer the petition. However, the same is transferred to Family Court, Patiala House, Delhi so as to benefit both parties. The learned counsel for the respondent would however point out that the interest of the child is required to be protected inasmuch as the schooling has suffered. Further the respondent father is also seeking visitation/custodial rights of the child. In this regard, it is best left to the transferee court to take a decision and the transferee court shall consider these aspects expeditiously.

The Family Court, Bengaluru shall forthwith transfer the petition to the Family Court, Patiala House, Delhi. The transferee court shall take up the petition for consideration expeditiously and dispose of the interlocutory application(s), if any, pending in the matter in expeditious manner. Accordingly, the Transfer Petition is allowed.

New Delhi
15th April, 2021

.....J.
[A.S.BOPANNA]

