

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition (Civil) No. 924/2020

TARUNA DUTT

Petitioner

VERSUS

VIKAS KAKKAR

Respondent

O R D E R

1. Application for permission to appear and argue in person is allowed.

2. The present petition has been filed by the petitioner-wife *inter alia* praying for transfer of DMC No.418/2020 titled as 'Vikas Kakkar vs. Taruna Dutt', filed by the respondent-husband, from the Court of the Principal District Judge, Family Court Hisar, Haryana to the Family Court, Bengaluru, Karnataka.

3. Learned counsel for the petitioner-wife states that the marriage of the parties was solemnized on 09.12.2012 and they had separated on 06.04.2018. There is one issue from the marriage. The petitioner-wife has filed a divorce petition, registered MC No.2000/2018 against the respondent-husband before the Family Court at Bengaluru, Karnataka on 12.04.2018 wherein he has been appearing and is contesting the said petition. The said petition is at the stage of recording of evidence. Thereafter, in the year 2020, for reasons best known to him, the respondent-husband has filed a divorce petition against the petitioner-wife in a competent Court at Hisar, Haryana.

4. On enquiring from the respondent-husband, who appears in person, as to the reasons for filing a divorce petition in Haryana when the petitioner-wife has already filed a divorce petition at Bengaluru, Karnataka, which is being contested by him, he states that the grounds for divorce taken by him in the petition filed by him are different.

5. Even if that is true, there is no good reason for two different Courts to hear the matter when the relief sought by the parties in both the petitions are identical. In fact, it may result in conflicting judgments. In view of the fact that the divorce petition filed by the petitioner-wife is at an advance stage of recording of evidence, it is deemed appropriate to direct transfer of DMC No.418/2020 titled 'Vikas Kakkar vs. Taruna Dutt', filed by the respondent-husband from the Court of the Principal District Judge, Family Court Hisar, Haryana to the Family Court, Bengaluru, Karnataka for being taken up together. The records of the said petition shall be transmitted forthwith.

6. The present petition is allowed and disposed of.

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

.....J.  
(HIMA KOHLI)

New Delhi  
October 20, 2021

ITEM NO.15 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. 924/2020

TARUNA DUTT

Petitioner

VERSUS

VIKAS KAKKAR

Respondent

(IA No. 80664/2020 - EX-PARTE STAY  
IA No. 97240/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 20-10-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Balaji Srinivasan, AOR

For Respondent(s) Respondent-in-person

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

(R.S. NARAYANAN)  
COURT MASTER (NSH)

(Signed order is placed on the file)