

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO. 131 OF 2020

MANJULATA BHARDWAJ

PETITIONER(S)

VERSUS

SUMIT RAI & ANR.

RESPONDENT(S)

O R D E R

This transfer petition has been filed by the petitioner-wife seeking transfer of H.M.A. No. 726/2019 pending before the Court of Principal Judge, Family Court, Dehradun, Uttarakhand titled "*Sumit Rai vs. Manjulata Bhardwaj & Anr.*" to the Court of Principal Judge, Family Court, Varanasi, Uttar Pradesh.

Though neither the learned counsel for the petitioner-wife nor for the Respondent No. 1-husband, who has been duly served, are present, this Court does not deem it necessary to keep this transfer petition pending.

The record reveals that the petitioner-wife seeks transfer of the above-mentioned case filed by the Respondent No. 1-husband under Section 13 of the Hindu Marriage Act, 1955.

The marriage between the parties was solemnized on 28.05.2006 at Varanasi, Uttar Pradesh. The averments in the transfer petition do not reveal that the parties are blessed with any child. The distance between Dehradun, Uttarakhand and Varanasi, Uttar Pradesh is stated to be more than 1000 kilometres.

The petitioner has further averred that she does not have any independent source of income and is fully dependent upon her parents.

Taking these factors into consideration, the instant transfer petition is allowed and H.M.A. No. 726/2019 titled "*Sumit Rai vs. Manjulata Bhardwaj & Anr.*" pending before the Court of Principal Judge, Family Court, Dehradun, Uttarakhand is transferred to the Court of Principal Judge, Family Court, Varanasi, Uttar Pradesh.

The records pertaining to H.M.A. No. 726/2019 shall be sent to the transferee Court, forthwith.

Pending applications, if any, shall stand disposed of accordingly.

..... J.
[SURYA KANT]

NEW DELHI;
APRIL 12, 2022.

ITEM NO.1611

COURT NO.15

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. 131/2020

MANJULATA BHARDWAJ

Petitioner(s)

VERSUS

SUMIT RAI & ANR.

Respondent(s)

(FOR ADMISSION and IA No.13333/2020-EX-PARTE STAY and IA
No.13335/2020-EXEMPTION FROM FILING O.T.)

Date : 12-04-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Vipin Kumar Jai, AOR (Not Present)

For Respondent(s)

The Court made the following
O R D E R

The transfer petition is allowed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(MANISH ISSRANI)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)