

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.1384/2020

POONAM GUPTA Petitioner(s)

VERSUS

PIYUSH GUPTA Respondent(s)

(FOR ADMISSION and I.R. and IA No.125004/2020-STAY APPLICATION and IA No.125005/2020-EXEMPTION FROM FILING O.T.)

Date : 14-12-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Akash Nandolia, Adv.
Mr. Arjun Garg, AOR

For Respondent(s)

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

The petitioner (wife) seeks transfer of the divorce case filed by the Respondent(husband), pending before the Family Court, Lakhimpur, Kheri (U.P.) to a Competent Court in Bhopal (M.P.).

Mr. Akash Nandolia, the learned counsel submits that soon after the petitioner married the respondent in June 2015, she realized that the respondent is incapable of fulfilling his marital obligations for which, he was treated also in London. Before marriage, the respondent was projected to be employed with a London based company and was temporarily available in India only for performing the marriage. Since the treatment was unsuccessful and the marriage was not working out, the couple returned to India and

the petitioner is currently staying in a rented house at Bhopal, where her expenditure are borne entirely by her father.

According to the learned counsel, the respondent has filed the divorce case making false allegations against the petitioner, whereas it is he, who could not fulfill the marital obligations.

Considering the above, let notice returnable within four weeks, be issued.

In the meantime, there shall be stay of further proceedings in Case No.213/2020 titled as "*Piyush Gupta Vs. Poonam Sagar*", pending before the Court of Additional Principal Judge, Family Court, Lakhimpur, Kheri, Uttar Pradesh until further orders.

(RACHNA)
SENIOR PERSONAL ASSISTANT

(POONAM VAID)
COURT MASTER (NSH)