

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.1138 OF 2020

MITALI SHRIVASTAVA

PETITIONER

VERSUS

SHIMIR SHRIVASTAVA

RESPONDENT

O R D E R

Learned counsel for the petitioner submits that as per his instructions there has not been any amicable settlement between the parties.

This transfer petition has been filed by the petitioner-wife under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of Original Suit No.988/2017, titled as "Shimir Shrivastava vs. Mitali Shrivastava" pending before the Court of Principal Judge, Family Court, Dehradun, Uttarakhand to the Family Court, Faizabad, Uttar Pradesh.

As per office report, service of show-cause notice is complete but, the respondent-husband has not entered appearance despite service.

Heard learned counsel for the petitioner and perused the material placed on record.

Having considered the circumstances in their totality, we are of the view that in the interest of justice, transfer of the proceedings, as prayed for, is warranted.

Accordingly, this transfer petition is allowed and

Original Suit No.988/2017, titled as "Shimir Shrivastava vs. Mitali Shrivastava" pending before the Court of Principal Judge, Family Court, Dehradun, Uttarakhand is hereby transferred to the Family Court, Faizabad, Uttar Pradesh.

The parties shall be at liberty to apply before the transferee court for appearing through the video conferencing mode.

The records of the case be transferred to the transferee court forthwith.

All pending applications stand disposed of.

.....J.  
(DINESH MAHESHWARI)

.....J.  
(SUDHANSHU DHULIA)

New Delhi;  
November 03, 2022

ITEM NO.25

COURT NO.8

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(s)(Civil) No(s).1138/2020

MITALI SHRIVASTAVA

Petitioner(s)

VERSUS

SHIMIR SHRIVASTAVA

Respondent(s)

(IA No.103907/2020-EX-PARTE STAY and IA No.103911/2020-EXEMPTION  
FROM FILING AFFIDAVIT)

Date : 03-11-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Satvic Mathur, Adv.  
Mr. Sameer Shrivastava, AOR

For Respondent(s)

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, stands disposed of.

(ARJUN BISHT)  
COURT MASTER (SH)

(RANJANA SHAILEY)  
COURT MASTER (NSH)

(signed order is placed on the file)