

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) No.1168 Of 2020

PAYAL MAHAJAN

Petitioner

VERSUS

ROMIL MAHAJAN

Respondent

O R D E R

On pursual of the office report, it is noted that the respondent has been served but has not appeared either through counsel or by himself. In order to give another opportunity, the matter was ordered to be listed today vide order dated 04.04.2022. Today, once again, I find that there is no representation on behalf of the respondent. In the circumstances, learned counsel for the petitioner only has been heard in the matter.

Learned counsel for the petitioner submitted that this transfer petition has been filed under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of Case No. HMA /212/2020 titled as "*Romil Mahajan Vs. Payal Mahajan*" pending in the Court of Learned Additional Principal Judge, Family Court-II Jalandhar, Punjab to the competent court at Meerut, Uttar Pradesh.

Learned counsel for the petitioner submitted that the petitioner has sought transfer of the said case as she is residing at Meerut, Uttar Pradesh and the distance between the Family Court at Jalandhar and Meerut is over 400 Kms and it is not possible for the petitioner to travel all the way to Jalandhar at Punjab for the

purpose of defending the said case owing to financial stringency and other difficulties which are faced by the petitioner as she is presently residing with her parents at Meerut. He submitted that in the circumstances, the petition may be allowed and a direction may be issued as prayed for in the petition.

As already noted, though the respondent has been served, there is no representation on behalf of the respondent.

In the circumstances, having heard learned counsel for the petitioner and on the perusal of the material on record and having regard to the interest of justice, I find that this petition is liable to be allowed, having regard to the reasons, made out by the petitioner in the petition. Hence, the transfer petition bearing Case No. HMA /212/2020 titled as "*Romil Mahajan Vs. Payal Mahajan*" pending in the Court of Learned Additional Principal Judge, Family Court-II Jalandhar, Punjab is ordered to be transferred to the Family Court/Competent court at Meerut, Uttar Pradesh.

The transfer petition is allowed and disposed of in the aforesaid terms.

.....J.
[B.V. NAGARATHNA]

NEW DELHI;
18th APRIL, 2022

ITEM NO.1605

COURT NO.12

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.1168/2020

PAYAL MAHAJAN

Petitioner

VERSUS

ROMIL MAHAJAN

Respondent

(IA No. 107598/2020 - FOR STAY)

Date : 18-04-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Mr. Nakul Chaudhary, Adv.
Mr. Raj Kishor Choudhary, AOR
Mr. Shakeel Ahmed, Adv.
Ms. Malvika Raghavan, Adv.
Mr. Wasiq Khan, Adv.
Mr. Paras Nath Singh, Adv.
Mr. Anupam Bhati, Adv.
Mr. Sumit Kumar, Adv.
Ms. Apurva Gaur, Adv.

For Respondent(s)

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

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

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

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT(MALEKAR NAGARAJ)
BRANCH OFFICER

(Signed order is placed in the file)