

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)No.1416 of 2020

ANKITA SUNIL YADAV

PETITIONER

VERSUS

SUNIL MANGLA SINGH YADAV & ANR.

RESPONDENTS

O R D E R

1. The petitioner-wife seeks transfer of Family Suit No.777/2020, titled as "Sunil Mangla Singh Yadav vs. Ankita Sunil Yadav & Anr.", filed by the respondent-husband under Section 13(1) (1) and 13(1)(1)(a) of the Hindu Marriage Act, 1955, for dissolution of marriage by a decree of divorce, which is pending before the Family Court at Ahmedabad, Gujarat. The petitioner-wife seeks transfer thereof to the Court of Principal Judge, Family Court, Varanasi, Uttar Pradesh.

2. Heard learned counsel for the parties and carefully perused the material placed on record.

3. The petitioner-wife has sought transfer of the case mainly on the ground of financial difficulty and her inability to travel from Varanasi, Uttar Pradesh to Ahmedabad, Gujarat to attend the proceedings of the case filed by the respondent-husband.

4. Keeping in view the distance between two places and taking into consideration the hardships which are likely to be faced by the petitioner-wife in contesting the case at Ahmedabad, Gujarat, we deem it appropriate to allow the instant petition.

5. The Transfer Petition is, accordingly, allowed and Family Suit No.777/2020, titled as "Sunil Mangla Singh Yadav vs. Ankita Sunil Yadav & Anr.", filed by the respondent-husband under Section 13(1)(1) and 13(1)(1)(a) of the Hindu Marriage Act, 1955, for dissolution of marriage by a decree of divorce, which is pending before the Family Court at Ahmedabad, Gujarat is ordered to be transferred to the Court of Principal Judge, Family Court, Varanasi, Uttar Pradesh. The records be forwarded to the Transferee Court forthwith.

6. As a result, pending interlocutory applications, if any, also stand disposed of.

.....J.  
(SURYA KANT)

.....J.  
(J.K. MAHESHWARI)

NEW DELHI;  
DECEMBER 09, 2022.

ITEM NO.1

COURT NO.11

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s).1416/2020

ANKITA SUNIL YADAV

Petitioner(s)

VERSUS

SUNIL MANGLA SINGH YADAV & ANR.

Respondent(s)

IA No.127417/2020 - EX-PARTE STAY

IA No.66359/2022 - EXEMPTION FROM FILING O.T.

Date : 09-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Nishant Bishnoi, Adv.  
Ms. Srishti Prabhakar, Adv.  
Mr. Saurabh Ajay Gupta, AOR

For Respondent(s) Mr. Mohd. Shakeel Khan, Adv.  
Mr. Md. Anas Chaudhary, Adv.  
Ms. Shehla Chaudhary, Adv.  
Mohd. Anas Khan, Adv.  
Ms. Priya Bholra, Adv.  
Mr. Ansar Ahmad Chaudhary, AOR

Mr. M.S. Khan, Adv.

Mr. Mohit Kumar, Adv.

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. The records be forwarded to the Transferee Court forthwith.

As a result, pending interlocutory applications, if any, also stand disposed of.

(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR

(PREETHI T.C.)  
COURT MASTER (NSH)

(Signed order is placed on the file)