

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NOS. 1371-1372 OF 2020

DEEPTI GOEL

PETITIONER(S)

VERSUS

DINESH KUMAR AGARWAL ETC.

RESPONDENT(S)

WITH

TRANSFER PETITION (CRIMINAL) NOS. 554-557 OF 2023

TRANSFER PETITION (CIVIL) NOS. 1934-1938 OF 2023

ORDER

TRANSFER PETITION (CIVIL) NOS. 1371-1372 OF 2020

These transfer petitions are filed by the petitioner (wife) seeking transfer of O.S. No. 333/2020 “Dinesh Kumar Agarwal v. Deepti Goel” filed under Section 9 of the Hindu Marriage Act, 1955 and O.S. No. 385/2020 “Dinesh Kumar Agarwal v. Deepti Goel” filed under Section 25 of the Guardians and Wards Act, 1890 read

with Section 7(1)(a) of the Family Courts Act, 1984 from Dhanbad to Lucknow.

Having heard learned counsel for the parties and considering the fact that child aged six years is staying with petitioner and taking note of the distance between Dhanbad and Lucknow, in our view, the transfer as prayed by the petitioner (wife) deserves to be allowed. Accordingly, O.S. No. 333/2020 “Dinesh Kumar Agarwal v. Deepti Goel” pending before the Court of Principal Judge, Family Court at Dhanbad, Jharkhand, and O.S. No. 385/2020 “Dinesh Kumar Agarwal v. Deepti Goel” pending before Additional Family Court, Dhanbad, are ordered to be transferred to Family Court, Lucknow.

We clarify that the transferee Court shall not insist for personal appearance of the respondent on every date and mark his presence virtually until otherwise directed by Court in this regard.

We further observe that on application by the respondents to the Court concerned, an endeavour be made by Courts to fix all the cases on one day to avoid inconvenience to the parties.

In view of the foregoing, these transfer petitions stand allowed. Pending application(s), if any, shall stand disposed of.

TRANSFER PETITION (CRIMINAL) NOS. 554-557 OF 2023

TRANSFER PETITION (CIVIL) NOS. 1934-1938 OF 2023

In view of the order passed in Transfer Petition (Civil) Nos. 1371-1372 of 2020, these transfer petitions filed by the husband and his family members shall stand dismissed.

.....**J.**
[J. K. MAHESHWARI]

.....**J.**
[RAJESH BINDAL]

NEW DELHI;
AUGUST 08, 2024.

ITEM NO.1

COURT NO.8

SECTION XVII

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) Nos. 1371-1372/2020

DEEPTI GOEL

Petitioner(s)

VERSUS

DINESH KUMAR AGARWAL ETC.

Respondent(s)

[MEDIATION REPORT RECEIVED]

(IA No. 131587/2022 - CLARIFICATION/DIRECTION and IA No. 124087/2020 - EX-PARTE STAY and IA No. 33499/2021 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 128194/2020 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 124088/2020 - EXEMPTION FROM FILING O.T. and IA No. 92818/2023 - EXEMPTION FROM FILING O.T.)

WITH

T.P.(Cr1.) No. 554-557/2023 (II)

(IA No. 157081/2023 - EXEMPTION FROM FILING O.T. and IA No. 157080/2023 - STAY APPLICATION)

T.P.(C) No. 1934-1938/2023 (XI)

[MEDIATION REPORT RECEIVED]

(IA No. 150283/2023 - EXEMPTION FROM FILING O.T. and IA No. 150282/2023 - STAY APPLICATION)

Date : 08-08-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE RAJESH BINDAL

For parties

Ms. Meenakshi Arora, Sr. Adv.

Ms. Meha Rashmi, Adv.

Mr. Chandrayatany, Adv.

Ms. Nanaki Kalra, Adv.

Mr. Mrigank Prabhakar, AOR

Mr. Malak Manish Bhatt, AOR

Mr. Rajiv Dutta, Sr. Adv.

Ms. Neha Singh, Adv.

Mr. K. K. Mohan, AOR

Mr. S. S. Jauhar, AOR

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

Transfer petition (C)Nos. 1371-1372/2020 stand allowed and Transfer Petition (Crl.) Nos. 554-557/2023 and Transfer Petition (C) Nos.1934-1938/2023 stand dismissed in terms of the signed order. Pending application(s), if any, shall stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(ANU BHALLA)
BRANCH OFFICER

[Signed order is placed on the file.]