

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 1541 OF 2020

DIVYA VASHISHT Petitioner(s)

VERSUS

SIDDARTH SONI & ORS. Respondent(s)

O R D E R

The prayer in this petition is to transfer G.W.O.P. No. 32 of 2020 titled as *Dr. Siddarth Soni & Ors. v. Divya Vashisht* pending in Family Court, City Civil Court at L.B. Nagar, Rangareddy, Telangana to the Court of Principal Judge (Family Court), Patiala House Courts, Delhi.

We have heard learned counsel for the petitioner(wife).

We have also heard learned counsel for the respondents (respondents are husband and parents in law of the petitioner).

After hearing learned counsel for the parties, we are of the view that the petition seeking transfer as prayed for must be allowed. The transfer petition is allowed in terms of the prayer.

The Registry will communicate a copy of this order to the transferor Court for effecting compliance.

Learned counsel for the respondents would submit that the first respondent who is in US is coming for Diwali and prays that the respondents may be permitted to interact with

the child. Having heard learned counsel for the petitioner and the petitioner who is present in person, we are inclined to pass the following order as well:

The respondents are permitted to interact with the child on 25th October, 2022 from 10.30 a.m. in the presence of the petitioner in Ambience Mall. The interaction is permitted from 10.30 a.m. till 3 pm.

This is subject to the respondent No.1 filing an affidavit on his behalf and on behalf of other respondents that the child will indeed be handed back to the mother at the end of visitation. The custody will continue with the petitioner after 3 p.m. and there will be no attempt in any manner to take the child away from the custody of the petitioner(mother).

Access will come to an end at 3 p.m. as already noticed and the petitioner will continue to have custody from 3 p.m. on 25.10.2022 onwards.

This will be without prejudice to the right of the first respondent to seek orders for access/custody/visitation rights, before the transferee Court.

....., J.
[K.M. JOSEPH]

....., J.
[HRISHIKESH ROY]

New Delhi;
October 10, 2022.

ITEM NO.52

COURT NO.5

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 (Civil) No. 1541/2020

DIVYA VASHISHT

Petitioner(s)

VERSUS

SIDDARTH SONI & ORS.

Respondent(s)

(Mediation Report received.)

(With IA No. 132467/2021 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 135821/2020 - EX-PARTE STAY)

Date : 10-10-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Ms. Jyotika Kalra, AOR
Mr. Aditya Jha, Adv.

For Respondent(s)

Ms. Shashi Shankar, Adv.
Mr. Himanshu Chaubey, AOR

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 stands disposed of.

(NIDHI AHUJA)
AR-cum-PS

(RENU KAPOOR)
ASSISTANT REGISTRAR

[Signed order is placed on the file.]