

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 1516 OF 2020

CHHAMA GARG

Petitioner(s)

VERSUS

SUNIL GARG

Respondent(s)

O R D E R

The petitioner(wife) seeks transfer of HMA No. 143/2020 titled as *Sunil Garg v. Chhama Garg* from the Court of Principal Judge, Family Court, Rohini, Delhi to the corresponding Family Courts at Lakhimpur Kheri, Uttar Pradesh.

We have heard learned counsel for the petitioner and the learned counsel for the respondent.

Learned counsel for the respondent submits that the respondent has already filed an application seeking withdrawal of the petition filed under Section 9 of the Hindu Marriage Act, 1955, which is sought to be transferred.

In such circumstances, we pass the following order:

We see no reason why we should not allow the transfer petition filed by the wife. The transfer petition is allowed.

However, taking note of the submission of the learned counsel for the respondent (husband) that the respondent has

sought to withdraw the petition under Section 9 and it is pending consideration, it is further ordered that in case, the petition filed by the respondent(husband) is allowed to be withdrawn then the order directing transfer should not be given effect to.

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

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

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

New Delhi;
September 06, 2022.

ITEM NO.25

COURT NO.6

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. 1516/2020

CHHAMA GARG

Petitioner(s)

VERSUS

SUNIL GARG

Respondent(s)

(With IA No. 133456/2020 - STAY APPLICATION)

Date : 06-09-2022 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)

Mr. Akhil Sachar, Adv.
Ms. Jasmine Damkewala, AOR
Ms. Vaishali Sharma, Adv.

For Respondent(s)

Mr. Sanjay Padam Jain, Adv.
Mr. Ravi Kumar, Adv.
Mr. Shaveer Ahmed, Adv.
Mr. Biju Thankappen, 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.]