

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO. 2575 OF 2019

AASTHA SAINI

Petitioner(s)

VERSUS

SUNNY BHARAL

Respondent(s)

O R D E R

Heard the learned counsel appearing for the petitioner. Though the respondent is represented by an advocate, none appears for the respondent even after one pass over.

The petitioner is the wife and the respondent is the husband. The petitioner is a resident of Delhi and the respondent is a resident of Gurugram in Haryana. It is pointed out by the learned counsel for the petitioner that the petitioner has filed a complaint under Section 12 of the Protection Of Women From Domestic Violence Act, 2005 ('DV Act, 2005') against the respondent which is pending in a court at Tis Hazari, Delhi. Moreover, there is a petition filed for divorce by the petitioner which is pending in the Family Court District West, Tis Hazari, Delhi.

The prayer in this petition is for transfer of a petition for restitution of conjugal rights

filed by respondent which is pending in the Court of learned Principal District Judge, Family court, Gurugram.

There is no contest by the respondent. The Petition for divorce filed by the petitioner and the petition for restitution of conjugal rights filed by the respondent will have to be heard together as the evidence will be common. Hence, the transfer petition is allowed.

HMA Case No.377 of 2019 titled as "Sunny Bharal vs. Aastha Saini" pending before the court of Principal District Judge, Gururam (Haryana) is hereby transferred to the Family Court District West, Tis Hazari, Delhi. The Principal Judge, Family Court, District West, Tis Hazari, Delhi shall ensure that HMA No. 917 of 2019 filed by the petitioner for divorce is heard with the transferred case.

Let the record of the case(s) be transferred without delay.

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

.....J  
( ABHAY S. OKA )

NEW DELHI;  
DECEMBER 11, 2021

ITEM NO.12 Court 14 (Video Conferencing)

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(s). 2575/2019

AASTHA SAINI

Petitioner(s)

VERSUS

SUNNY BHARAL

Respondent(s)

( IA No. 164223/2019 - EX-PARTE STAY)

Date : 11-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Ram Lal Roy, AOR  
Mr. Bharat Bhushan, Adv.

For Respondent(s) Mr. Ganesh Kumar R., 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(s), if any,  
shall stand disposed of.

(Geeta Ahuja)  
Court Master

(Beena Jolly)  
Court Master

(Signed Order is placed on the file)