

IN THE SUPREME COURT OF INDIA

ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO. 2151 OF 2017

SHILPI SHARMA @ GARGI

APPELLANT

VERSUS

STATE OF UTTAR PRADESH AND OTHERS

RESPONDENTS

WITH

TRANSFER PETITION(CRL.) NO. 225 OF 2018O R D E R

1. These petitions are filed under Section 13 of the Hindu Marriage Act, 1955 and Section 406 of the Code of Criminal Procedure, 1973 read with Order XXXIX of the Supreme Court Rules, 2013, respectively, seeking transfer of H.M.A. No. 902 of 2017 (Devender Kumar Sharma vs. Shilpi Sharma @ Gargi) and Case No. 3039 of 2015 (Bal Kishan vs. Manju Sharma & Others) pending before the Court of Principal Judge, Family Court, Mathura, Uttar Pradesh and in the Court of Additional Chief Judicial Magistrate, Court No. 4, Mathura, Uttar Pradesh.
2. No one has entered appearance on behalf of the respondent to oppose the petitions. We have heard learned counsel for the petitioner.
3. On perusal of the pleadings and the documents available on record, and also considering the facts and circumstances of the case, this Court deems it fit and proper to allow this transfer petition.

4. Accordingly, H.M.A. No. 902 of 2017 (Devender Kumar Sharma vs. Shilpi Sharma @ Gargi) and Case No. 3039 of 2015 (Bal Kishan vs. Manju Sharma & Others) pending before the before the Court of Principal Judge, Family Court, Mathura, Uttar Pradesh and in the Court of Additional Chief Judicial Magistrate, Court No. 4, Mathura, Uttar Pradesh are transferred to a competent Family Court in Karkardooma, Delhi.
5. Let the records pertaining to H.M.A. No. 902 of 2017 and Case No. 3039 of 2015 be transferred to the concerned court without delay.
6. The transfer petitions are, accordingly, allowed.

..... J.
[INDIRA BANERJEE]

..... J.
[M.M. SUNDRESH]

NEW DELHI;
SEPTEMBER 1, 2022.

ITEM NO.9

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. 2151/2017

SHILPI SHARMA @ GARGI

Petitioner(s)

VERSUS

DEVENDER KUMAR SHARMA

Respondent(s)

IA No. 121343/2017 - STAY APPLICATION)

WITH

T.P.(Cr1.) No. 225/2018 (XVI-A)

(FOR STAY APPLICATION ON IA 62545/2018

FOR EXEMPTION FROM FILING O.T. ON IA 62546/2018)

Date : 01-09-2022 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Ashok Kumar Sharma, Sr. Adv.
Mr. Parmanand Gaur, AOR
Mr. Kshitij Mudgal, Adv.
Mr. Ekansh Bansal, Adv.
Mr. Vibhav Mishra, Adv.
Mr. Rishabh Shukla, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner.

The transfer petitions are allowed in terms of the
signed order.

Pending applications, if any, shall stand disposed of.

(MANISH ISSRANI)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)