

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition (Civil) No.234/2020

SURBHI BHARUKA

Petitioner(s)

VERSUS

NAMRISH BHARUKA

Respondent(s)

O R D E R

1. Heard the learned counsel appearing for the petitioner.
2. The petitioner - wife is a resident of Indore, Madhya Pradesh and the respondent - husband is a resident of Nagpur, Maharashtra.
3. The prayer is for transfer of a matrimonial petition filed by the respondent - husband pending before the Family Court at Nagpur, Maharashtra to the Family Court at Indore, Madhya Pradesh.
4. The respondent has been served with the notice. He has not contested the petition.
5. The petition discloses that there are four other substantive proceedings pending before the Courts at Indore, Madhya Pradesh arising out of the matrimonial dispute. Therefore, a case is made out for passing an order of transfer.
6. Accordingly, the Transfer Petition is allowed. H.M.P. No. A.1452 of 2019 pending before the Court of the learned Principal Judge, Family Court at Nagpur, Maharashtra shall be transferred to

the Court of the learned Principal Judge, Family Court at Indore, Madhya Pradesh. It is directed that the records relating to H.M.P. No. A.1452 of 2019 shall be remitted forthwith to the Family Court at Indore, Madhya Pradesh.

7. It is further made clear that if the petition filed by the petitioner - wife under Section 125 of the Code of Criminal Procedure, 1973 ("the Code") is still pending, the said petition shall be clubbed along with the transferred Petition. Needless to say that if any execution application for the execution of the orders passed in the Maintenance Petition is pending, even the same shall be transferred along with the main petition filed under Section 125 of the Code.

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

New Delhi,  
18<sup>th</sup> August, 2022

....., J.  
[ABHAY S. OKA]

ITEM NO.1609

COURT NO.15

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

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SURBHI BHARUKA

Petitioner(s)

VERSUS

NAMRISH BHARUKA

Respondent(s)

(IA No. 20067/2020 - STAY APPLICATION)

Date : 18-08-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Ardhendumauli Kumar Prasad, Adv.  
Ms. Taruna Ardhendumauli Prasad, AOR  
Mr. Amritesh Raj, Adv.  
Ms. Shreya Srivastava, Adv.  
Mr. Ashish Madaan, Adv.  
Ms. Ananya Sahu, Adv.

For Respondent(s)

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 placed on the file.

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

(NEHA GUPTA)  
SENIOR PERSONAL ASSISTANT

(NAND KISHOR)  
BRANCH OFFICER