

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 2536 OF 2019

DHARMISTHABEN DURGAPRASAD OZA PETITIONER

VERSUS

KHAJUR KUMAR PURUSHOTTAMDAS PUROHIT RESPONDENT

O R D E R

As per the office report, the respondent has been served. However, none has appeared on behalf of the respondent.

It may be noted that by the order dated 07.11.2019, while issuing notice, proceedings in, Divorce Petition No. 3177 of 2016 titled "*Khajur Kumar Purushottamdas Purohit vs. Dharmisthaben Durgaprasad*", pending before the Family Court at Bandra, Mumbai, Maharashtra, were stayed. It is, therefore, apparent that the respondent would be aware of the pendency of the present petition.

In view of the aforesaid, the respondent is proceeded, *ex-parte*.

Having given due consideration to the contentions raised by the petitioner and the averments made in the transfer petition, and in the interest of justice, the transfer petition is allowed.

Accordingly, Divorce Petition No. 3177 of 2016 titled "*Khajur Kumar Purushottamdas Purohit vs. Dharmisthaben Durgaprasad*", pending before the Family Court at Bandra, Mumbai, Maharashtra is directed to be transferred to the court of Presiding Officer,

Family Court, Ahmedabad, Gujarat, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be immediately transferred to the transferee court.

To cut short delay, parties are directed to appear in-person or through the authorized representatives, or through video-conferencing, if the said facility is available in the transferee court on 30.11.2022. In case there is non-appearance on behalf of the party on the date fixed, court notice would be issued by the transferee court to the defaulting party.

The parties may explore the possibility of settlement through mediation. The transferee court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

The transferee court would decide the matter expeditiously.

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

.....J.
(SANJIV KHANNA)

.....J.
(J.K. MAHESHWARI)

NEW DELHI;
OCTOBER 12, 2022.

ITEM NO.15

COURT NO.9

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). 2536/2019

DHARMISTHABEN DURGAPRASAD OZA

Petitioner(s)

VERSUS

KHAJUR KUMAR PURUSHOTTAMDAS PUROHIT

Respondent(s)

(IA No.161178/2019-EX-PARTE STAY

IA No. 161178/2019 - EX-PARTE STAY

IA No. 161179/2019 - EXEMPTION FROM FILING O.T.)

Date : 12-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Gaurav Agrawal, AOR

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.

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

(BABITA PANDEY)
COURT MASTER (SH)(DIPTI KHURANA)
ASSISTANT REGISTRAR

(signed order is placed on the file)