

IN THE SUPREME COURT OF INDIA
CRIMINAL/CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CRL.)No.580 OF 2019

AVISHEK PALIT & ORS.

... PETITIONERS

Versus

MOUMITA GHOSH

... RESPONDENT

WITH

TRANSFER PETITION (C)No.1534 OF 2020

MOUMITA AVISHEK PATIL @ MOUMITA UJJWAL GHOSH

... PETITIONER

Versus

AVISHEK ALOKE KUMAR PALIT

... RESPONDENT

O R D E R

TRANSFER PETITION (C)No.1534 OF 2020

1. The petitioner - wife seeks transfer of Marriage Petition No.1402 of 2019, titled as "Mr. Avishek Alope Palit vs. Mrs. Moumita Avishek Palit @ Moumita Ujjwal Ghosh", filed by the respondent - husband under Section 13(1)(ia) of the Hindu Marriage Act, 1955, which is pending before the Court of Civil Judge, Senior Division, Pune (Maharashtra). The petitioner - wife seeks transfer thereof to the Court of Principal Judge (Family Court), Khetri, District Jhunjhunu, Rajasthan.

2. Having heard learned counsel for the parties and keeping in view the fact that two more cases are already pending at Khetri,

District Jhunjhunu, Rajasthan but without expressing any views on merits, the Transfer Petition is allowed and the Marriage Petition No.1402 of 2019, titled as "Mr. Avishek Alope Palit vs. Mrs. Moumita Avishek Palit @ Moumita Ujjwal Ghosh", filed by the respondent - husband under Section 13(1)(ia) of the Hindu Marriage Act, 1955, which is pending before the Court of Civil Judge, Senior Division, Pune (Maharashtra) is ordered to be transferred to the Court of Principal Judge (Family Court), Khetri, District Jhunjhunu, Rajasthan. The records be forwarded to the Transferee Court forthwith.

3. As a result, pending interlocutory application also stands disposed of.

TRANSFER PETITION (CRL.)No.580 OF 2019

1. Heard learned counsel for the parties and carefully perused the material placed on record.

2. No ground to transfer the case is made out.

3. The Transfer Petition is, accordingly, dismissed.

4. As a result, pending interlocutory application also stands disposed of.

.....J.
(SURYA KANT)

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

NEW DELHI;
NOVEMBER 29, 2022.

ITEM NO.2

COURT NO.11

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)(Criminal) No(s).580/2019

AVISHEK PALIT & ORS.

Petitioner(s)

VERSUS

MOUMITA GHOSH

Respondent(s)

(Mediation report received.
IA No.165608/2019 - STAY APPLICATION)
WITH
T.P.(C) No.1534/2020 (XVI-A)
(FOR EX-PARTE STAY ON IA 135064/2020
IA No. 135064/2020 - EX-PARTE STAY)

Date : 29-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Nishant Anand, Adv.
Mr. Gunjan Bansal, Adv.
Mr. Siddharth Kaushik, Adv.
Mr. Mohit Chandras, Adv.
Mr. Abhigya Kushwah, AOR

Mr. Atul Kumar, Adv.
Ms. Deepali, Adv.
Mr. Abhimanyu Sharma, Adv.
Mr. Tarun Gupta, AOR

For Respondent(s) Mr. Atul Kumar, Adv.
Ms. Deepali, Adv.
Mr. Abhimanyu Sharma, Adv.
Mr. Tarun Gupta, AOR

Mr. Abhigya Kushwah, AOR

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

TRANSFER PETITION (C)No.1534 OF 2020

The Transfer Petition is allowed in terms of the signed order.

The records be forwarded to the Transferee Court

forthwith.

As a result, pending interlocutory application also stands disposed of.

TRANSFER PETITION (CRL.)No.580 OF 2019

The Transfer Petition is dismissed in terms of the signed order.

As a result, pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed order is placed on the file)