

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO.2762/2023

SANGYA JAIN

Petitioner(s)

VERSUS

SAURABH GOGIA

Respondent(s)

O R D E R

Heard Mr. Sanchit Garga, learned counsel appearing for the petitioner (Wife). Also heard Mr. Sandeep Grover, learned counsel appearing for the respondent (husband).

2. The learned Counsel for the respondent submits that merely because three other proceedings are pending before the Court at Meerut, the divorce case filed by the respondent against the petitioner should not be transferred to the Court at Meerut. It is then submitted that the petitioner has filed the custody case for the custody of the daughter and those proceedings are pending at Jaipur. With the projection, the counsel submits that the transfer petition should not be allowed.

3. On the other hand, the learned counsel for the petitioner would point out that the respondent is required to attend to the three proceedings in Meerut. It is then submitted that the minor daughter is forcibly kept by the father in Jaipur (disputed by the respondent) and that is why the petitioner had to file the custody case at Jaipur after withdrawing the same from the Court at Meerut.

4. Balancing the interest of the parties, we deem it appropriate to allow transfer of the petition bearing Petition No. 558 of 2023 titled as "Sh. Saurabh Gogia Vs. Smt. Sangya Jain" pending in the Court of Family Court No. 3, Jaipur, Rajasthan to the Principal Judge, Family Court, Meerut, District U.P. It is ordered accordingly.

5. The Court of Family Court No. 3, Jaipur, Rajasthan shall send the case records to the transferee Court without any delay.

6. After transfer of the case papers, the transferee Court is directed to make endeavour either for amicable settlement or for early decision in the matter without unnecessary adjournments.

7. The Transfer Petition is allowed in the aforesaid terms.

8. Pending application(s), if any, shall stand closed.

.....J.  
[ HRISHIKESH ROY ]

.....J.  
[ PRASHANT KUMAR MISHRA ]

NEW DELHI;  
JANUARY 17, 2024

ITEM NO.8

COURT NO.5

SECTION XV

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).2762/2023

SANGYA JAIN

Petitioner(s)

VERSUS

SAURABH GOGIA

Respondent(s)

(mediation report received

IA No. 212615/2023 - EXEMPTION FROM FILING O.T.

IA No. 212612/2023 - STAY APPLICATION)

Date : 17-01-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Sanchit Garga, AOR  
Mr. Ankur Yadav, Adv.  
Mr. Madhav Anand, Adv.  
Mr. Nikunj Jain, Adv.Mr. Madhav Anand, Adv.  
Mr. Karan Dua, Adv.  
Mr. Aman Chawla, Adv.For Respondent(s) Mr. Sandeep Grover, Adv.  
Mr. Tarang Agarwal, Adv.  
Ms. Aashna Agarwal, Adv.  
Mr. Pai Amit, AORUPON 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 closed.

(DEEPAK JOSHI)  
COURT MASTER (SH)(KAMLESH RAWAT)  
ASSISTANT REGISTRAR

(Signed Order is placed on the File)