

ITEM NO.5

COURT NO.1

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).337/2017

SHAMA PARWEEN

Petitioner(s)

VERSUS

MD. TOUFIK ALAM

Respondent(s)

[I.A.No.1/2017 - Application for ex-parte stay]  
2/2017 - Application for exemption from filing O.T.]

Date : 28-09-2018 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Sudhir Naagar, Adv. [AOR]

For Respondent(s) Not represented.

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

The transfer petition is disposed of in terms of the signed order.

Pending applications, if any, are deemed to have been disposed of.

(Subhash Chander)  
AR-cum-PS

(H.S. Parasher)  
Assistant Registrar

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C)NO.337 OF 2017

Shama Parween ... Petitioner

Versus

Md. Toufik Alam ... Respondent

O R D E R

The present transfer petition has been filed at the instance of the petitioner-wife seeking transfer of petition bearing M.T.S. Case No.138 of 2016 titled *Md. Toufik v. Ms. Shama Parween* pending before the Principal Judge, Family Court, Ranchi, Jharkhand to the Principal Judge, Family Court, Gaya, Bihar.

Despite service of notice, respondent has not appeared. Hence, averments made in the transfer petition remain un rebutted.

In view of the above and also considering the hardships which will be faced by the petitioner in contesting the case at Ranchi, we deem it proper to allow the transfer petition and transfer the aforesaid case from the Principal Judge, Family Court, Ranchi, Jharkhand to the Principal Judge, Family Court, Gaya, Bihar along with all records for its adjudication. Ordered accordingly.

After transfer of the case, the transferee Court is directed to make all endeavour either for amicable settlement

or for early decision in the matter without unnecessary adjournments.

The transfer petition is accordingly disposed of.

.....CJI.  
[DIPAK MISRA]

.....J.  
[A.M. KHANWILKAR]

.....J.  
[Dr. D.Y. CHANDRACHUD]

New Delhi.  
September 28, 2018.