

ITEM NO.34 Court 12 (Video Conferencing)

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No. 119/2019

SHRUTI SHARMA

Petitioner(s)

VERSUS

AALOK SHARMA

Respondent(s)

(IA No. 9822/2019 - EX-PARTE STAY)

Date : 20-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Dharmendra Kumar Sinha, AOR
Mr. Rajiv Kumar Jha, Adv.
Mr. Sunil Rai, Adv.

For Respondent(s) Mr. Anish Kumar Gupta, AOR
Ms. Archana Preeti Gupta, Adv.
Mr. Venugopal Abhay, Adv.

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

The Writ Petition is disposed of in terms of signed
order.

Pending application(s) shall stand disposed of.

(RAJNI MUKHI)
COURT MASTER

(DIPTI KHURANA)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 119/2019

SHRUTI SHARMA

PETITIONER(S)

VERSUS

AALOK SHARMA

RESPONDENT(S)

O R D E R

Heard Mr. Dharmendra Kumar Sinha, learned counsel for the petitioner and Mr. Anish Kumar Gupta, learned counsel nominated by the Supreme Court Legal services Committee for respondent.

This Writ Petition has been filed by the petitioner/wife for transfer of HMA No. 902/2017 titled "Aalok Sharma Vs. Shruti Sharma" pending before the Additional District Judge, Amritsar, Punjab to Additional District Judge (Matrimonial Cases), Jammu.

It is not in dispute that the petitioner is residing presently at Jammu alongwith two children in her parental home. Further it is also clear from the materials placed on record that the petitioner has filed petition under section 7/10 of Guardian & Wards Act on 12.07.2017 and also petition under Section 9 of the Hindu Marriage Act for Restitution of Conjugal rights, which are pending before the Additional District Judge, Jammu. There is also a complaint lodged by

the petitioner against the respondent under Section 498-A/109 of Ranbir Penal Code which is registered at Police Station Women Cell, Gandhi Nagar, Jammu.

In view of the pendency of various petitions filed by the petitioner which are pending in the Court at Jammu and further undisputedly petitioner is residing with her two children at Jammu, we deem it appropriate a fit case to transfer the petition, being HMA No. 902/2017 titled "Aalok Sharma Vs. Shruti Sharma" pending before the Additional District Judge, Amritsar, Punjab to the Court of Additional District Judge (Matrimonial Cases), Jammu. Ordered accordingly.

Let the records of the case be transferred to the transferee Court without delay.

This writ petition is accordingly disposed of with directions as indicated above.

.....J
[R. SUBHASH REDDY]

.....J.
[HRISHIKESH ROY]

NEW DELHI;
SEPTEMBER 20, 2021