

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). 84/2020

PRIYANKA RANI

Petitioner(s)

VERSUS

AMIT AHUJA & ORS.

Respondent(s)

IA No. 11647/2020 - EX-PARTE STAY

IA No. 11648/2020 - EXEMPTION FROM FILING O.T.)

Transfer Petition(s)(Civil) No(s). 3/2020

(FOR ADMISSION and IA No.133/2020-EX-PARTE STAY and IA No.135/2020-EXEMPTION FROM FILING O.T.)

Date : 17-09-2021 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Krishna Kumar, Advocate
Mr. Vishwa Pal Singh, AOR
Ms. Nandita Jha, Advocate
Mr. Y.P. Singh, Advocate

Mr. Krishna Kumar Sharma, Adv.
K.M. Monika, Adv.

For Respondent(s) Mr. Vijay Kumar, AOR

Mr. Ashwani Garg, Adv.

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

1. Applications for exemption are allowed.
2. Both the present Transfer Petitions have been filed by the petitioner-wife praying inter-alia for transferring Domestic Violence Case No.7978 of 2019 (Old Case No. 2956 of 2017) filed by her titled "Priyanka Rani vs. Amit Ahuja & Ors.", from the Court of the Additional Chief Judicial Magistrate, Meerut to the Court of the Additional Chief Judicial Magistrate, Patiala House Courts, New

Delhi and HMA No.1057 of 2019 filed by the respondent-husband titled "Amit Ahuja vs. Priyanka Rani, pending before the Principal Judge, Family Court, Meerut to Principal Judge, Family Court, Patiala House Courts, New Delhi.

3. Notice was issued on the said petitions on 14.02.2020 and 10.01.2020 respectively and stay was granted on further proceedings in both the petitions. As per the office report, service is complete in T.P. (C) No.84 of 2020 but is incomplete in T.P. (C) No.3 of 2020.

4. Appearance is entered by Mr. Ashwani, learned counsel for the respondent who states that he has not received copy of the paper book in T.P. (C) No.3 of 2020. A complete set of the paper book in T.P. (C) No.3 of 2020 shall be served on learned counsel for the respondent-husband within one week.

5. Transfer Petition No.84/2020 has been filed by the petitioner-wife praying inter-alia for transferring Domestic Violence Case No.7978 of 2019 (Old Case No. 2956 of 2017) filed by her under the Domestic Violence Act, 2005 and pending before the Court of the Additional Judicial Magistrate, Meerut, Uttar Pradesh to the court of the Additional Chief Judicial Magistrate, Patiala House Courts, New Delhi on a plea that she is gainfully employed and residing in Delhi.

6. Learned counsel for the respondent-husband states that he has filed a counter affidavit in opposition to T.P (Cr1.) No. 84/2020 and contested the stand taken by the petitioner-wife that she has relocated to Delhi. He states that the present petition is only an excuse to harass the respondent-husband.

7. Having regard to the facts of the present case which reveals

that the marriage of the parties was solemnized on 27.02.2006, they are blessed with a son who is 10 years old and in the care and custody of respondent-husband and the parties have separated as recently as in the year 2019, this court has enquired from learned counsel for the parties if their clients would be willing to appear before the Supreme Court Mediation Centre for exploring the possibility of arriving at a negotiated settlement. Both the parties are agreeable to the said suggestion.

8. Accordingly, without prejudice to the rights and contentions of the parties, they alongwith their respective counsel shall appear virtually before the learned Mediator to be appointed by the Supreme Court Mediation & conciliation Centre on 04.10.2021 at 2 p.m.

List after four weeks to await the Mediation Report.

(TUSHAR BISHT)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)