

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

Transfer Petition (Civil) No 285 of 2020

Vandana

... Petitioner(s)

Versus

Indrabhushan

... Respondent(s)

O R D E R

- 1 The petitioner-wife seeks transfer of MC No 470 of 2019 titled as “Shri Indrabhushan Vs. Smt. Vandana” filed under Section 13 of the Hindu Marriage Act 1955 pending before the Family Court, Belagavi, Karnataka to the Court of the Principal Judge, Family Court, Karkardooma, Delhi.
- 2 It is not in dispute between the parties that a case under Section 12 of the Protection of Women from Domestic Violence Act 2005 bearing No 59368 of 2016 filed by the petitioner-wife is pending in the Karkardooma District Court at Delhi. It is also stated that the respondent-husband is working at Muscat (Oman).
- 3 The marriage between the parties was solemnized on 13th August, 2013 and was duly registered on the next date, i.e., 14th August, 2013. There is a girl child borne out of the wedlock who is in the custody of the mother.
- 4 Taking into consideration the above circumstances and the fact that the travelling by the wife, who is the sole guardian of the girl child, from her residence at Delhi to Belagavi, Karnataka shall cause undue hardship to her,

the instant transfer petition is allowed and MC No 470 of 2019 titled as “Shri Indrabhushan Vs. Smt. Vandana” pending before the Family Court, Belagavi, Karnataka is ordered to be transferred to the Court of the Principal Judge, Family Court, Karkardooma, Delhi.

- 5 The aforesaid divorce petition shall be heard along with Case No 59368 of 2016 filed by the wife under Section 12 of the Protection of Women from Domestic Violence Act 2005, which is already pending before the Family Court, Karkardooma, Delhi.
- 6 The respondent-husband is granted liberty to attend the hearings through the video conferencing platform. However, as and when his physical presence is required in the Court, he shall appear in person as per the court’s direction.
- 7 The records of the case shall be transferred to the transferee court forthwith.
- 8 Pending application, if any, stands disposed of.

.....J.
[Surya Kant]

**New Delhi;
April 26, 2022
-S-**

ITEM NO.1607

COURT NO.4

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).285/2020

VANDANA

Petitioner(s)

VERSUS

INDRABHUSHAN

Respondent(s)

(WITH IA No. 17444/2020 - STAY APPLICATION)

Date : 26-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Anurag, AOR

For Respondent(s) Mr. Anand Sanjay M. Nuli, Adv.
M/S. Nuli & Nuli, AOR

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

- 1 The transfer petition is allowed in terms of the signed order.
- 2 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)

AR-CUM-PS

(Signed order is placed on the file)

(RAM SUBHAG SINGH)

COURT MASTER