

IN THE SUPREME COURT OF INDIA  
CIVIL/CRIMINAL ORIGINAL JURISDICTION

Transfer Petition(Civil) No.152/2020

SMT. BABITA BHATT

Petitioner(s)

VERSUS

SRI. PRATIEK RAJENDRA KALE

Respondent(s)

WITH

Transfer Petition(Crl.) Nos. 371-372/2020

SMT. BABITA BHATT

Petitioner(s)

VERSUS

SRI. PRATIEK RAJENDRA KALE

Respondent(s)

O R D E R

The petitioner (wife) seeks transfer of Matrimonial Case No.381/2017 titled "Sri Pratiek Rajendra Kale vs Smt. Babita Bhatt" filed under Section 13 (1) (1-a) of the Hindu Marriage Act, 1955 by the respondent (husband) for grant of decree of divorce, which is pending before the Court of Principal Family Judge at Bangalore, to the competent Court at Saket, New Delhi.

The petitioner (wife) also seeks transfer of Criminal Miscellaneous Application No.404/2019 and Criminal Miscellaneous Application No.706/2019 under Sections 193, 196, 199, 200, 209, 465 and 471 of the Indian Penal Code, pending before the 6<sup>th</sup> Additional

Principal Judge, Family Court, Bengaluru to the competent Court of South East District, New Delhi.

These two Criminal Miscellaneous Applications have been filed at the instance of the petitioner and respondent respectively and are pending before the competent Courts at Bengaluru.

Two more cases filed by the petitioner are also pending in Delhi's Courts.

The marriage between the parties was solemnized on 30-11-2015.

Pursuant to Order dated 23-8-2022, the parties were directed to appear before the Supreme Court Mediation Centre on 16-09-2022 at 2.00 p.m.

As per the Mediation Report dated 30-09-2022, the parties could not arrive at an amicable settlement and the mediation has thus failed.

Heard learned counsel appearing for the parties and gone through the record.

Keeping in view the hardships likely to be faced by the petitioner (wife) in the event of travelling from Delhi to Bengaluru to defend or pursue the aforesaid cases, the instant Transfer Petitions are allowed and (i) Matrimonial Case No.381/2017 titled "Sri Pratiek Rajendra Kale vs Smt. Babita Bhatt" which is pending before the Court of Principal Family Judge at Bangalore is ordered to be transferred to the Family Court at Saket, New Delhi, (ii) Criminal Miscellaneous Application No.404/2019 and (iii) Criminal Miscellaneous Application No.706/2019, pending before the

6<sup>th</sup> Additional Principal Judge, Family Court, Bengaluru are ordered to be transferred to the competent Court of South East District, New Delhi.

The records be forwarded to the transferee Courts forthwith.

.....J  
(SURYA KANT)

.....J  
(J.B. PARDIWALA)

NEW DELHI  
1ST NOVEMBER, 2022.

REVISED FOR APPEARANCE ONLY

ITEM NO.23

COURT NO.12

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(Civil) No.152/2020

SMT. BABITA BHATT

Petitioner(s)

VERSUS

SRI. PRATIEK RAJENDRA KALE

Respondent(s)

(Mediation Report received)  
(IA No. 10520/2020 - STAY APPLICATION)

WITH

T.P.(Cr1.) No. 371-372/2020 (XVI-A)  
(FOR STAY APPLICATION ON IA 123755/2020 &  
FOR EXEMPTION FROM FILING O.T. ON IA 123756/2020)

Date : 01-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s)

Ms. Manju Jetley, AOR

Mr. Abhishek Kumar, Adv.  
Miss. Deeksha Saggi, Adv.  
Mr. Rituparn Uniyal, Adv.  
Mr. Ram Lal Roy, AOR

For Respondent(s)

Mr. Hitendra Nath Rath, AOR

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

The Transfer Petitions are allowed, in terms of the signed Order.

Pending applications filed in the matters also stand disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
COURT MASTER (NSH)

(Signed Order is placed on the file)

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COURT NO.12

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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

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