

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 458 OF 2020

KAVITA DEVI @ SMT. KAVITA KAUR

Petitioner(s)

VERSUS

ANSHU CHHABRA

Respondent(s)

O R D E R

This petition is filed by the petitioner-wife seeking transfer of proceedings for nullity of marriage instituted by the respondent-husband pending on the file the Family Court, Lalitpur, Uttar Pradesh to the Court of Family Court, Secunderabad, Telangana.

Heard the learned counsel on both sides.

The petitioner seeks transfer on the ground that she is now residing at Secunderabad, Telangana and that she is not financially independent. She has claimed that she has no independent source of income and that, therefore, it will not possible for her to travel a distance of 1200 Kms.

Though the respondent has filed a counter affidavit, the respondent has not specifically come up with any

avertment regarding the employment of the petitioner or her sources of income. All that the respondent has stated is that after participating in the proceedings before the Court at Lalitpur, Uttar Pradesh and after having been set ex-parte, the petitioner has approached this Court when a judgment was about to be delivered.

But the above objection can hardly be a ground to oppose a transfer, especially in the circumstances in which the petitioner is placed.

Therefore, the Transfer Petition is allowed and the case(s) is ordered to be transferred.

Pending applications, if any, stand disposed of.

.....J
(V. RAMASUBRAMANIAN)

New Delhi
August 16, 2022

ITEM NO.1614

COURT NO.6

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). 458/2020

KAVITA DEVI @ SMT. KAVITA KAUR

Petitioner(s)

VERSUS

ANSHU CHHABRA

Respondent(s)

(IA No.38768/2020-EX-PARTE STAY and IA No.38767/2020-EXEMPTION FROM
FILING O.T.)

Date : 16-08-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Ms. Manjeet Kirpal, AOR
Mr. M.K. Singh, Adv.

For Respondent(s)

Mr. Mayur Chaturvedi, Adv.
Mr. Chandan Kumar, AOR

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

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

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)

[Signed order is placed on the file]