

ITEM NO.52

COURT NO.1

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) .453/2017

SHITAL DINESH MAHAKAL

Petitioner(s)

VERSUS

DINESH MANOHARRAO MAHAKAL

Respondent(s)

(FOR STAY APPLICATION ON IA 1/2017)

Date : 10-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Ms. Himanshi Gupta, Adv.
Mr. Sagar Patil, Adv.
Mr. Ravindra Keshavrao Adsure, Adv. [AOR]

For Respondent(s) Mr. Joseph Aristotle S., Adv.
Ms. Priya Aristotle, Adv. [AOR]
Mr. Ashish Yadav, Adv.
Mr. James David Daniel, Adv.

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

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

(Subhash Chander)
AR-cum-PS

(H.S. Parasher)
Assistant Registrar

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.453 OF 2017

Shital Dinesh MahakalPetitioner

Versus

Dinesh Manoharrao MahakalRespondent

O R D E R

This is a transfer petition at the instance of the petitioner-wife seeking transfer of the case being Original Petition No.509 of 2015 titled *Dinesh Manoharrao Mahakal v. Shital Dinesh Mahakal* and Original Petition No.924 of 2015 titled *Shital Dinesh Mahakal v. Dinesh Manoharrao Mahakal* pending before the Family Court, Thiruvananthapuram (Kerala) to Family Court, Akola (Maharashtra).

In the course of hearing, we have been informed that apart from the above two cases, the following cases are also pending in various courts :

1. M.C.C.No.21 of 2015 pending before JMFC, Manora, Maharashtra under the Protection of Women from Domestic Violence Act, 2005 filed by the petitioner.
2. M.C.No.22 of 2015 pending before JMJC, Manora, Maharashtra under Section 125, Cr.P.C. filed by the petitioner.
3. M.J.C. No.13 of 2016 pending before District Court, Mangrulpeer, Maharashtra under Section 25 of the Guardian & Wards Act filed by the respondent.

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Keeping in view the facts and circumstances of the case and also considering the hardships which will be faced by the petitioner in contesting the cases at different places, we deem it proper to allow the transfer petition and direct transfer of all the aforesaid cases from the respective courts where they are pending to the Family Court, Akola, Maharashtra along with all records for its adjudication.

After transfer of the petition, the transferee Court is directed to make all endeavour either for amicable settlement and/or for early decision in the matter without unnecessary adjournments.

The transfer petition is accordingly disposed of.

.....CJI.
[DIPAK MISRA]

.....J.
[A.M. KHANWILKAR]

.....J.
[Dr. D.Y. CHANDRACHUD]

New Delhi.
January 10, 2018.