

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.460 OF 2020

SUSHMITA HALDER . . . . . PETITIONER  
VERSUS  
RAHUL CHAUHAN . . . . . RESPONDENT

O R D E R

Despite of second call, none has appeared on behalf of the respondent.

It may be noted that by the order dated 10.06.2020, while issuing notice, proceedings in, H.M.A. No. 1496 of 2019 titled "Rahul Chauhan vs. Sushmita Halder", pending before the Family Court at Saket, New Delhi were stayed. It is, therefore, apparent that the respondent would be aware of the pendency of the present petition and he has also filed an application for transfer of proceedings pending at Alipore, West Bengal.

In view of the aforesaid, the respondent is proceeded, *ex-parte*.

Having given due consideration to the contentions raised by the petitioner and the averments made in the transfer petition, and in the interest of justice, the transfer petition is allowed.

Accordingly, Divorce Petition No. 3177 of 2016 titled H.M.A. No. 1496 of 2019 titled "Rahul Chauhan vs. Sushmita Halder", pending before the Family Court at Saket, New Delhi is directed to be transferred to the Court of District Judge at Alipore, West

Bengal, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be immediately transferred to the transferee court.

To cut short delay, parties are directed to appear in-person or through the authorized representatives, or through video-conferencing, if the said facility is available in the transferee court on 01.12.2022. In case there is non-appearance on behalf of the party on the date fixed, court notice would be issued by the transferee court to the defaulting party.

The parties may explore the possibility of settlement through mediation. The transferee court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

The transferee court would decide the matter expeditiously.

Pending application(s), if any, stand disposed of.

TRANSFER PETITION (Cr1.) No. 46 OF 2021

Despite of second call, none has entered appearance on behalf of the petitioner.

Accordingly, the transfer petition is dismissed as default.

Pending application(s), if any, stand disposed of.

.....J.  
(SANJIV KHANNA)

.....J.  
(J.K. MAHESHWARI)

NEW DELHI;  
OCTOBER 13, 2022

ITEM NO.14

COURT NO.11

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). 460/2020

SUSHMITA HALDER

Petitioner(s)

VERSUS

RAHUL CHAUHAN

Respondent(s)

(IA No. 38784/2020 - EX-PARTE STAY)

WITH

T.P.(Cr1.) No. 46/2021 (XVI-A)

(IA No. 13859/2021 - STAY APPLICATION)

Date : 13-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Jitender Kumar Mohapatra, Adv.  
Md. Shaffi Mather, Adv.  
Ms. Priyam Agarwal, Adv.  
Mr. Siddhartha Chowdhury, AOR

Mr. Anil Kumar, AOR

For Respondent(s)

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

Transfer Petition (Civil) No. 460 of 2020

The appeal is allowed in terms of the signed order.

Pending application(s), if any, stand disposed of.

Transfer Petition (Cr1.) No. 46 of 2021

The transfer petition is dismissed as default.

Pending application(s), if any, stand disposed of.

(BABITA PANDEY)  
COURT MASTER (SH)

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

(Singed order is placed on the file)