

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 468 OF 2020

NIMA SEN MAJUMDAR PETITIONER (S)
VERSUS
ARUN SEN RESPONDENT (S)

O R D E R

As per the office report, the respondent has been served. However, 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 Matrimonial Suit No. 33/2019, titled "*Arun Sen vs. Nima Sen Majumdar*" pending before the court of Additional District Judge at Barrackpore, District North 24 Parganas, West Bengal, were stayed. It is, therefore, apparent that the respondent would be aware of the pendency of the present petition.

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

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

Accordingly, Matrimonial Suit No. 33/2019, titled "*Arun Sen vs. Nima Sen Majumdar*" pending before the court of Additional District Judge at Barrackpore, District North 24 Parganas, West Bengal, is directed to be transferred to the court of the Presiding

Officer, Family Court at Bandra (East) Mumbai, Maharashtra, 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 05.01.2023. In case there is non-appearance on behalf of a party on the date fixed, court notice would be issued by the transferee court to the defaulting party.

The parties may explore 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.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
DECEMBER 01, 2022.

ITEM NO.1

COURT NO.7

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). 468/2020

NIMA SEN MAJUMDAR

Petitioner(s)

VERSUS

ARUN SEN

Respondent(s)

(FOR ADMISSION and IA No.39473/2020-EX-PARTE STAY
IA No. 39473/2020 - EX-PARTE STAY)

Date : 01-12-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

M. Tomthinnganbi Koijam, Adv.
Mr. L.K. Paonam, Adv.
Mr. Niraj Bobby Paonam, Adv.
Ms. Aswathi M.k., AOR

For Respondent(s)

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

(BABITA PANDEY)
COURT MASTER (SH)

(KAMLESH RAWAT)
COURT MASTER (NSH)

(Singed order is placed on the file)