

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 510 OF 2020

SANGEETA KUMARI . . . . . PETITIONER

VERSUS

SAURABH KUMAR . . . . . RESPONDENT

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 orders dated 10.06.2020, while issuing notice, proceedings in Divorce Petition No. 376 of 2019 titled "*Saurabh Kumar vs. Sangeeta Kumari*", pending before the Chief Judge, Family Court, Muzaffapur, Bihar were stayed. Since the respondent could not be served, fresh notice was issued by order dated 13.10.2022 and again by order dated 28.02.2023, which was duly served. 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, Divorce Petition No. 376 of 2019 tiled "*Saurabh Kumar vs. Sangeeta Kumari*", pending before the Chief Judge, Family Court, Muzaffapur, Bihar is directed to be transferred to the court of Presiding Officer, Family Court, Dwarka, Delhi, 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 20.07.2023. In case there is non-appearance on behalf of any 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;  
MAY 18, 2022.

ITEM NO.1

COURT NO.5

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 STransfer Petition(s)(Civil) No(s). 510/2020

SANGEETA KUMARI

Petitioner(s)

VERSUS

SAURABH KUMAR

Respondent(s)

(IA No. 38424/2020 - EXEMPTION FROM FILING O.T.  
IA No. 38423/2020 - STAY APPLICATION)

Date : 18-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE M.M. SUNDRESHFor Petitioner(s) Mr. Sushil Kumar Sharma, Adv.  
Mr. Pahlad Singh Sharma, AOR  
Mr. Manish Kumar Mishra, Adv.  
Mr. Virendra Kumar, Adv.

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

(Signed order is placed on the file)