

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO.488 OF 2020

TANUJA AGARWAL **Petitioner**

VERSUS

AMOL AGRAWAL **Respondent**

WITH

TRANSFER PETITION (CRIMINAL) NO.86 OF 2021

AMOL AGRAWAL **Petitioner**

VERSUS

TANUJA AGARWAL **Respondent**

O R D E R

TRANSFER PETITION (CIVIL) NO.488 OF 2020

This transfer petition has been filed by the petitioner-wife seeking transfer of the divorce petition filed by the respondent-husband in the Court of Principal Judge, Family Court, District Court, Bhopal to the Court of Principal Judge, Family Court, District Court, Almora, Uttarakhand.

It is submitted by Mr. Pramod Dayal, learned counsel for the respondent-husband that the petitioner-wife is presently working in Noida, Uttar Pradesh and, as such, the proceedings may be transferred to a place of convenience to both the sides.

The submission is countered by Mr. Kapil Chandra, learned counsel for the petitioner stating that because of COVID-19 pandemic situation, the petitioner-wife is working from home and is presently staying at Almora, Uttarakhand.

Considering the entirety of the facts and circumstances on record, in our view, the case for transfer, as prayed for, is made out.

Consequently, the matrimonial case bearing H.M.A. No.128 of 2020, titled as "*Amol Agarwal v. Tanuja Agarwal*", pending in the Court of the Principal Judge, Family Court, District Court, Bhopal, Madhya Pradesh, is transferred to the Court of Principal Judge, Family Court, District Court, Almora, Uttarakhand.

The Family Court at Bhopal is directed to transmit the entire record to the transferee Court immediately.

In order to facilitate early disposal, we direct the parties to appear before the Family Court at Almora either in person or through their Advocates on 21.02.2022 at 10.00 a.m.

The parties are at liberty to make appropriate request to the transferee Court to explore the possibility of settlement and to consider referring the matter to mediation.

The Registry is directed to send a copy of this Order to both the Courts immediately for compliance.

This transfer petition is allowed accordingly.

TRANSFER PETITION (CRIMINAL) NO.86 OF 2021

This transfer petition has been filed by the petitioner-husband seeking transfer of Case No.16 of 2019 filed by the respondent-wife under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in the Court of Judicial Magistrate/Civil Judge (SD), Almora, Uttarakhand to the Court of Judicial Magistrate, District Gautam Budh Nagar, Noida, Uttar Pradesh.

We do not see any reason to entertain this Transfer Petition. The Transfer Petition is, accordingly, dismissed.

.....J.
(UDAY UMESH LALIT)

.....J.
(S. RAVINDRA BHAT)

.....J.
(BELA M. TRIVEDI)

**New Delhi;
January 27, 2022.**

