

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No.1169/2021

KAMINI SINGH

Petitioner(s)

VERSUS

ANUP SINGH

Respondent(s)

(IA No. 78824/2021 - EX-PARTE STAY
IA No. 78826/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 78825/2021 - EXEMPTION FROM FILING O.T.)

Date : 18-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
[IN CHAMBER]

For Petitioner(s)

For Respondent(s)

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

1. The parties to this Transfer Petition are spouses. The petitioner-wife has prayed for transfer of the petition for restitution of conjugal rights filed by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955, pending in the Family Court, Allahabad, Uttar Pradesh bearing Case No.430/2018.
2. Perusal of the orders passed on the Transfer Petition on earlier occasions does not reveal that the parties are being represented by any learned counsel ever since the order dated 20.03.2023 came to be passed. There is also no report as to whether any effort has been made to effect service through the relevant police station.

3. Read the Office Report dated 23.03.2024. It appears that despite the Court's order dated 10.07.2023, no compliance report regarding service of alternative arrangement notice on the sole respondent has been received till date; hence, the service is not complete.
4. Let a report be called for, within four weeks from today, from the Family Court, Allahabad, Uttar Pradesh as to whether - (i) Case No.430/2018 is still pending on the file of the Family Court; (ii) if such case is pending, whether the respondent no.2 therein (petitioner-wife herein) is contesting the case; (iii) if the respondent no.2 therein (petitioner-wife herein) is contesting the case, name of the learned advocate engaged by her; and (iv) the name of the learned advocate representing the petitioner therein (respondent-husband herein).
5. Once the report is received from the Family Court, Allahabad, the same shall be placed on record with a separate Office Report.
6. Relist the Transfer Petition after four weeks.

(VIJAY KUMAR)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)