

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)No.750 OF 2019

KAVITA GAMBHIRE W/O VINOD KUMAR HULSURE  
THROUGH POWER OF ATTORNEY

.....PETITIONER

VERSUS

VINOD KUMAR HULSURE S/O BABRUVAN HULSURE

.....RESPONDENT

O R D E R

This is a transfer petition at the instance of the petitioner-wife seeking transfer of F.C.O.P.No.1240 of 2017, titled as Vinod Kumar Hulsure S/o Babruvan Hulsure vs. Smt.Kavita Gambhire W/o Vinod Kumar Hulsure, pending adjudication before the Court of Judge, Family Court, City Civil Court at Hyderabad, Telangana, to the Court of Civil Judge, Senior Division, Latur, Maharashtra.

The petitioner has sought transfer of the case mainly on the ground of financial difficulty and her inability to travel from Latur, Maharashtra, to Hyderabad, Telangana, which is at a distance of about 300 km., leaving her minor daughter, to attend the proceedings of the case filed by the respondent.

Notice of the transfer petition has been duly served upon the respondent, but neither he nor any one else has appeared on his behalf even on the second call.

.....2/-

In view of the hardships which will be faced by the petitioner in contesting the case at Hyderabad, Telangana, and in view of the fact that the petitioner has filed Criminal Misc.Application No.15 of 2019 under the Domestic Violence Act, 2005 against the respondent, which is pending adjudication before the Chief Judicial Magistrate, Latur, we deem it proper to allow the transfer petition and transfer F.C.O.P.No.1240 of 2017, titled as Vinod Kumar Hulsure S/o Babruvan Hulsure vs. Smt.Kavita Gambhire W/o Vinod Kumar Hulsure, pending adjudication before the Court of Judge, Family Court, City Civil Court at Hyderabad, Telangana, to the Court of Civil Judge, Senior Division, Latur, Maharashtra along with all records for its adjudication. Ordered accordingly.

After transfer of the petition, the transferee Court is directed to make all endeavours either for amicable settlement or for early decision in the matter without unnecessary adjournments.

.....J.  
(N.V.RAMANA)

.....J.  
(AJAY RASTOGI)

NEW DELHI;  
AUGUST 09, 2019.

ITEM NO.39

COURT NO.3

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).750/2019

KAVITA GAMBHIRE THROUGH POWER OF ATTORNEY

Petitioner(s)

VERSUS

VINOD KUMAR HULSURE

Respondent(s)

IA No.58645/2019 - STAY APPLICATION

Date : 09-08-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr.Kailas Bajirao Autade, AOR  
Mr.Mool Singh, Adv.  
Mr.Sheetal Patil, Adv.

For Respondent(s) Mr.Gyan Prakash Srivastava, AOR(Not Present)

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.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)