

IN THE SUPREME COURT OF INDIA  
INHERENT JURISDICTION

TRANSFER PETITION (C) NO. 778 OF 2020

Akansha Malviya

Petitioner(s)

VERSUS

Amit Malviya

Respondent(s)

O R D E R

This transfer petition has been filed by the petitioner-wife seeking transfer of the restitution petition instituted by the respondent-husband, being OP No.1234 of 2019 titled as "Amit Malviya vs. Akansha Malviya", pending before the Additional Family Court, City Civil Court, Hyderabad to the Court of competent jurisdiction at District Court, Raipur, Chhattisgarh.

Office report dated 11.11.2021 indicates that notice issued to the sole respondent on 19.08.2021 through registered A.D post, has been delivered on 22.08.2021 but no one has entered appearance on his behalf. It is further pointed out that the respondent has been allowed visitation right to meet the daughter at Raipur and he is also attending the proceedings in other cases cases at Raipur.

Having heard learned counsel for the petitioner and considering the facts and circumstances of the case, I am of the considered view that transfer of the proceedings, as prayed for, is warranted.

Accordingly, this transfer petition is allowed and it is directed that OP No.1234 of 2019 titled as "Amit Malviya vs. Akansha Malviya", pending before the Additional Family Court, City Civil Court, Hyderabad shall stand transferred to the Court of competent jurisdiction at District Court, Raipur, Chhattisgarh.

The parties shall be at liberty to apply before the transferee Court for appearing through the video conferencing mode as also for expeditious disposal.

The records of the case be transferred to the transferee Court forthwith.

.....J.  
(KRISHNA MURARI)

New Delhi;  
2nd February, 2022.

ITEM NO.17 Court 7 (Video Conferencing)

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). 778/2020

AKANSHA MALVIYA

Petitioner(s)

VERSUS

AMIT MALVIYA

Respondent(s)

(FOR ADMISSION and  
IA No. 64998/2020 - EX-PARTE STAY)

Date : 02-02-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Shikhar Shrivastava, Adv.  
Mr. Ranjan Kumar Pandey, 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 also stands disposed of.

(ANITA MALHOTRA)  
COURT MASTER

(RAM SUBHAG SINGH)  
COURT MASTER

(Signed order is placed on the file.)