

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

TRANSFER PETITION (CRL.) NO. 139 OF 2020

MANISHA NARAYAN GAIKWAD & ANR.

Petitioner(s)

VERSUS

NARAYAN PANDURANG GAIKWAD & ORS.

Respondent(s)

O R D E R

This Transfer Petition filed by the petitioners under Section 406 of the Criminal Procedure Code, 1973 read with Order XXXIX of the Supreme Court Rules, 2013 seeking transfer of the D.V.C. No. 1 of 2014 titled as "Manisha Narayan Gaikwad & Anr. V. Narayan Pandurang Gaikwad & Ors." pending before the Vith Metropolitan Magistrate Medchal R.R. District (Hyderabad) Telangana to the Subordinate JMFC, Indapur, District Pune, Maharashtra.

Office Report indicates that Notice issued to the respondent No.1 through Registered Speed Post on 05.06.2020 has been delivered on 13.06.2020 but no one has entered appearance on his behalf so far. In respect of Respondent Nos. 2 & 3 office report states that unserved cover containing notice has been received back from respondent Nos. 2 and 3 with postal remarks "Refused", and service is deemed to be complete on the said

respondents however no one has entered appearance on their behalf so far.

Heard learned counsel for the petitioner, I am of the considered view that in the interest of justice, transfer of the proceedings, as prayed for, is warranted.

Accordingly, this Transfer Petition is allowed and it is directed that the D.V.C. No. 1 of 2014 titled as "Manisha Narayan Gaikwad & Anr. V. Narayan Pandurang Gaikwad & Ors." pending before the Vith Metropolitan Magistrate Medchal R.R. District (Hyderabad) Telangana stand transferred to the Subordinate JMFC, Indapur, District Pune, Maharashtra.

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

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

Pending applications also stand disposed of.

.....J.
[KRISHNA MURARI]

New Delhi;
FEBRUARY 02, 2022.

ITEM NO.3 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
RECORD OF PROCEEDINGS

Transfer Petition(s)(Criminal) No(s). 139/2020

MANISHA NARAYAN GAIKWAD & ANR. Petitioner(s)

VERSUS

NARAYAN PANDURANG GAIKWAD & ORS. Respondent(s)

IA No. 27707/2020 - STAY APPLICATION)

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

CORAM :

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Mrinal Gopal Elker, AOR
Ms. Pratibha Yadav, Adv.
Mr. Manish Yadav, 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 applications, if any, are disposed of.

(NEELAM GULATI)
ASTT. REGISTRAR-cum-PS

(RAM SUBHAG SINGH)
BRANCH OFFICER

(Signed order is placed on the file)