



2021 INSC 668

1

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(S)(CIVIL) NO. 1867/2019

BABITA SRIVASTAVA

Petitioner

VERSUS

VINOD SRIVASTAVA

Respondent

ORDER

This transfer petition has been filed by the petitioner-wife Under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of divorce petition filed by the respondent-husband in the Court of Principal District Judge Family Court at Gurugram (Haryana) to any other court of competent jurisdiction at Gwalior(M.P.).

Heard learned counsel for the petitioner and learned counsel for the respondent.

It is submitted that the petitioner is presently residing at Gwalior (M.P.) and hence the aforesaid matter may be transferred to the competent court of jurisdiction at Gwalior.

Learned counsel for the respondent submitted that no objection is raised by the respondent for the said transfer as such.

In the circumstances, having regard to the difficulty pleaded by the petitioner and the distance between Gurugram, Haryana and Gwalior at M.P. being considerable and in order to enable the petitioner to effectively defend the aforesaid petition, the aforesaid petition namely HMA No. 560/2018 titled as "Sh.Vinod

Srivastava vs. Dr. Babita Srivastava” is directed to be transferred to a court of competent jurisdiction, if any, at Gwalior (M.P.).

It is needless to observe that both the parties will cooperate with the competent court of jurisdiction at Gwalior for expeditious disposal of the petition.

The Petition is allowed and disposed of in the aforesaid terms.

.....J
(B.V. NAGARATHNA)

New Delhi
Date: 25.10.2021.