

CASE NO.:
Transfer Petition (crl.) 103 of 2007

PETITIONER:
MANOJ SHAH

RESPONDENT:
SARITA DEVI

DATE OF JUDGMENT: 28/01/2008

BENCH:
S.B. SINHA & V.S. SIRPURKAR

JUDGMENT:
JUDGMENT
O R D E R

TRANSFER PETITION (CIVIL) NO. 103 OF 2007
WITH
TRANSFER PETITION (CRL) NO. 61 OF 2007
MANOJ SHAH ...PETITIONER(S)
:VERSUS:
STATE OF BIHAR AND ANR. ...RESPONDENT(S)

Having heard the learned counsel for the parties, we are of the opinion that keeping in view the peculiar facts and circumstances of this case and particularly the stand taken by the respondent herein, we direct that M.H.A. Case No.42/2004 (Old) & No.190/2005 (New), titled as Manoj Shah vs. Sarita Devi, pending in the Family Court of Muzaffarpur, Bihar, and Complaint Case No.1399/2004 & Trial No. 672/2006, titled as Sarita Devi vs. Manoj Shah, pending in the Court of S.D.J.M. (West) Muzaffarpur, Bihar, be transferred to District Court at Delhi, subject to the condition that the petitioner shall bear the costs of travel of the respondent Sarita Devi, which is quantified at Rs. 1,000/- for each day, she appears in Court the at Delhi.

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The District Judge shall transfer both these cases to the same Court and the transferee Court shall see to it that, as far as possible, the dates are fixed in such a manner that the respondent need not travel to Delhi again and again.

The transfer petitions are allowed with the aforementioned directions.