

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C.) NO.75 OF 2009

MAITREYEE ROY.
CHOUDHURY (NEEDAS)

Petitioner(s)

VERSUS

AVEEK ROY CHOUWDHURY

Respondent(s)

O R D E R

Heard both sides.

The petitioner herein is the wife, who seeks transfer of the petition filed by the respondent for divorce in the Court at Alipore, Calcutta, West Bengal to the Tis Hazari Courts, Delhi. The respondent has no objection to the transfer but he has submitted that the petitioner is trying to take the minor child out of India. If there is any such grievance, the respondent would be at liberty to take appropriate proceeding before the appropriate Court and we do not think that this is a ground for not to transfer the case. In case such an application is filed, the appropriate court would dispose of the same at an early date. Accordingly, we order for transfer of Matrimonial Suit No.2077/08, titled as Aveek Roy Chowdhury Vs. Maitreyee Roy Chowdhury from the Court of District Judge, Alipore, Calcutta, West Bengal to the District Judge, Tis Hazari, Delhi.

The transfer petition is allowed accordingly.

All the records be transmitted to the Court at Tis Hazari, Delhi.

.....CJI.
(K.G.BALAKRISHNAN)

.....J.
(P.SATHASIVAM)

NEW DELHI;
13TH APRIL, 2009.