

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.776 OF 2023

PRANSHI SHARMA

PETITIONER(S)

VERSUS

SHSHANK SHARMA

RESPONDENT(S)

O R D E R

1. The petitioner-wife seeks transfer of HMA NO.1091/2022, titled as "Shshank Sharma vs. Pranshi Sharma", filed by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955, which is pending before the Principal Judge, Family Court, North East, Karkardooma Court, Delhi. The petitioner-wife seeks transfer thereof to the Principal Judge, Family Court, Meerut, U.P.

2. The parties got married on 16.02.2020 and it appears that unfortunately there arose a matrimonial discord soon thereafter. The petitioner has already filed two cases against the respondent-husband i.e., under Section 125 of the Code of Criminal Procedure, 1973 and Section 12 of the Protection of Women from Domestic Violence Act, 2005. She has also lodged an FIR under various provisions of the Indian Penal Code and Dowry Prohibition Act. Both these cases are pending in Meerut. Meanwhile, the respondent-husband has filed the subject petition for restitution of conjugal rights.

3. The matter was referred to mediation, but the same has been unsuccessful.

4. Taking into consideration the fact that the petitioner will have to travel 105 kms. to join the proceedings before the Family Court at Delhi, however, without expressing any views on merits, the transfer petition is allowed and HMA NO.1091/2022, titled as "Shshank Sharma vs. Pranshi Sharma", pending before the Principal Judge, Family Court, North East, Karkardooma Court, Delhi is ordered to be transferred to the Principal Judge, Family Court, Meerut, U.P. The records be forwarded to the Transferee Court forthwith.

5. Taking into consideration the fact that there is still possibility of amicable settlement, the Transferee Court may explore such possibility through mediation before it proceeds on merits of the case.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
November 22, 2023

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).776/2023

PRANSHI SHARMA

Petitioner(s)

VERSUS

SHSHANK SHARMA

Respondent(s)

(IA No. 62317/2023 - EX-PARTE STAY, IA No.62318/2023 - EXEMPTION FROM FILING O.T.)

Date : 22-11-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE UJJAL BHUYANFor Petitioner(s) Ms. Himani Kalra, Adv.
Ms. Preeti Singh, AOR
Mr. Sunkaln Porwal, Adv.
Ms. Kumkum Mandhanya, Adv.

For Respondent(s) Mr. Lalit Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The transfer petition is allowed in terms of the signed order.
2. All pending applications, if any, stand disposed of.

(ARJUN BISHT)
COURT MASTER (SH)(PREETHI T.C.)
COURT MASTER (NSH)

(signed order is placed on the file)