

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition (Civil) No 759 of 2023

Nysha Hitesh Santani

... Petitioner

Versus

Hitesh Jaiprakash Santani

... Respondent

ORDER

- 1 This transfer petition has been filed by the petitioner-wife for transfer of MJ Petition No A-578 of 2021, titled "*Hitesh Jaiprakash Santani vs Nysha Hitesh Santani*" from the Family Court No 5, Mumbai at Bandra (Maharashtra) to the court of 5th Additional District Judge at Alipore, South 24th Parganas (West Bengal).
- 2 We have heard counsel for the parties.
- 3 Having regard to the interests of justice, we are of the view that an order for the transfer of the proceedings is warranted. We accordingly allow the transfer petition and direct that MJ Petition No A-578 of 2021, titled "*Hitesh Jaiprakash Santani vs Nysha Hitesh Santani*" be transferred from the Family Court No 5, Mumbai at Bandra (Maharashtra) to the court of 5th Additional District Judge at Alipore, South 24th Parganas (West Bengal).

- 4 The transferor court shall forthwith transmit the record of the aforesaid case to the transferee court.
- 5 After transfer of the petition, the transferee court is directed to make all endeavour either for amicable settlement or for early decision in the matter without unnecessary adjournments.
- 6 The respondent would be at liberty to participate in the proceedings before the Family Court through the video conferencing platform.
- 7 Pending applications, if any, stand disposed of.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[J B Pardiwala]

.....J.
[Manoj Misra]

New Delhi;
January 12, 2024
CKB

ITEM NO.5

COURT NO.1

SECTION IX

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 (Civil) No.759/2023

NYSHA HITESH SANTANI

Petitioner(s)

VERSUS

HITESH JAIPRAKASH SANTANI

Respondent(s)

Date : 12-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Devendra Kumar Singh, Adv.
Mr. Karunakar Mahalik, AOR
Mr. Chandra Nand Jha, Adv.
Mr. Manoranjan Mishra, Adv.

For Respondent(s) Mrs. Krupali Rajani, Adv.
Ms. Astha Prasad, AOR
Mr. Ajit Pravin Wagh, Adv.
Ms. Shubhangi Pandey, Adv.

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 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar

(Signed order is placed on the file)