

SUPREME COURT OF INDIA

Archana Singh

Vs.

Alok Pratap Singh

(S.B. Majmudar and D.P. Mohapatra JJ.)

10.01.2000

ORDER

S.B. MAJMUDAR, J.

1. We have seen the counter affidavit sent by the respondent. No one appears today on his behalf to contest these proceedings.
2. In our view offer to pay the travelling expenses to the petitioner wife is not a substitute for the difficulties which she will have to undertake for contesting the case at Thane all the way from Patna especially when she has a small child to look after. She wants the case to be transferred to Varanasi which is the permanent place of residence of the respondent's parents.
3. In our view, there will be sufficient hardship for her to travel all the way to Thane. Only on this short ground, this Transfer Petition is allowed. The Divorce Petition being M.P. No. 49 of 1998 titled Alok Pratap Singh v. Archana Singh pending in the file of 3rd Joint Civil Judge, Senior Division, Thane will stand transferred to the District Court, Varanasi.
4. The learned District Judge, Varanasi may try the petition himself or may transfer it to any other competent court for its trial.
5. No costs.