

SUPREME COURT OF INDIA

Neelam @ Pooja

Vs.

Manish Ramani

T.P.(Civil) No.167 of 2006

(Tarun Chatterjee and Dalveer Bhandari,JJ.)

22.01.2008

ORDER

1. In spite of service of Show Cause Notice on the husband/respondent, no one has entered appearance on his behalf at the time of hearing of this transfer petition.
2. This is an application for transfer of the case being Case No. 911 of 2005, [titled *Manish Ramani Vs. Smt. Neelam Alias Pooja*], pending in the Court of the Family Judge, Agra, U.P. to a Court of competent jurisdiction under the District Judge at Jaipur, Rajasthan.
3. Having heard the learned counsel for the petitioner and after going through the averments made in the application for transfer and considering the fact that the petitioner is living with her parents along with the minor child and also considering the fact that proceeding under Section 125 of the Code of Criminal Procedure in the Family Court No.1 at Jaipur has been filed by the petitioner for seeking maintenance for herself and her child, we direct that the proceeding being Case No. 911 of 2005 instituted by the husband/respondent seeking a decree under Section 9 of the Hindu Marriage Act shall stand transferred to the Family Court at Jaipur, Rajasthan.
4. Accordingly, the application for transfer is allowed. There will be no order as to costs