

**SUPREME COURT OF INDIA**

Swapna Mishra

Vs.

Sarat Chandra Mishra

T.P.(Civil)No.1015 of 2006

(H.K. Sema and Markandey Katju, JJ.)

08.02.2008

**ORDER**

1. This transfer petition is filed by the wife. Several adjournments were granted to enable the parties to come to a settlement. Counsel on both the sides appear today and state that amicable settlement out of the court has become impossible. The ground taken for transfer in this petition is that Section 498A petition filed by the petitioning wife is pending in the Court of the Addl. Chief Judicial Magistrate, Bermo, Tenughat in Jharkhand. It is stated that in any event the respondent-husband has to go to Jharkhand and contest the petition filed under Section 498A. In our view, this is sufficient ground for transfer. Accordingly, Matrimonial Suit No.165/2006 *namely Sarat Chandra Mishra Vs. Smt Swapna Mishra @ Goswami* pending in the Court of the Learned District Judge, Burdwan, West Bengal stands transferred to the Court of Principal Judge, Family Court, Bokaro, Jharkhand. Transfer petition is allowed.