

SUPREME COURT OF INDIA

Babita

Vs.

Girdharilal Jiyalal Chaurasia

Transfer Petition (Civil) No.136 of 2008

(Tarun Chatterjee and G.S. Singhvi JJ.)

25.11.2008

ORDER

1. This is a petition filed by the petitioner-wife under Section 25 of the Code of Civil Procedure, 1908 read with Order XXXVI-B of the Supreme Court Rules, 1966 seeking transfer of M.J. Petition No.163/2007 filed by the respondent-husband before the Family Court, District Azamgarh, U.P., to the Additional Chief Metropolitan Court, Bandra Mumbai, Maharashtra. Despite service of notice, no one has entered appearance for the respondent.

2. Considering the facts and circumstances stated in the petition, we direct that M.J. Petition No.163/2007 titled as Girdhari Lal vs. Smt. Babita pending before the Family Court, District Azamgarh, U.P. be transferred to the Additional Chief Metropolitan Court, Bandra Mumbai, Maharashtra. The Transfer Petition is allowed accordingly.