

SUPREME COURT OF INDIA

Shalini Gupta

Vs.

Neeraj Gupta

Transfer Petition (Civil) No. 1050 of 2006

(S.B. Sinha and Dr. Mukundakam Sharma JJ.)

12.01.2009

ORDER

1. Despite service of notice, nobody appears for the respondent. Keeping in view the facts and circumstances of this case, we direct the M.C. No. 1344 of 2006, titled as Neeraj Gupta vs. Smt. Shalini Gupta, pending before the Court of Family Judge at Bangalore, to be transferred to a Court of competent jurisdiction at Chandigarh. Let the records of the case be transferred to the Court of District Judge, Chandigarh, who shall assign the same to a Court of competent jurisdiction. The transferee Court shall issue notice to the parties after fixing a date of hearing.
2. However, as the respondent is a resident of Bangalore, the transferee Court is requested to accommodate the respondent as far as possible, and if it is not otherwise inconvenient to the transferee Court, it may fix the dates of hearing in such a fashion so that the matter may be taken up for hearing on day-to-day basis. It is made clear that on the date so fixed by the transferee Court, when the respondent is present, the petitioner shall not take any adjournment.
3. The transfer petition is allowed accordingly.