

SUPREME COURT OF INDIA

Sneegdha @ Mamta

Vs

Priyadarshi Kumar

Transfer Petition (C.) No.690 of 2008

(K.G.Balakrishnan CJI., V.S.Sirpurkar and P.Sathasivam JJ.)

16.03.2009

ORDER

Heard both sides.

1. The petitioner herein is the wife and is staying with her parents at Muzaffarpur in Bihar and the respondent-husband has filed a matrimonial Title Suit No.127/2006 before the Family Court at Ranchi, Jharkhand and the petitioner says that she is not in a position to defend the case in view of her financial condition as she is staying at Muzaffarpur. This plea is opposed by the husband. We do not think that this is a justifiable ground for not transferring the case. Accordingly, we direct for transfer of Matrimonial Title Suit No.127/2006 titled 'Priyadarshi Kumar Vs. Sneegdha @ Mamta' from the Court of Principal Judge, Family Court at Ranchi to the family Court at Muzaffarpur, Bihar. The Principal Judge, Family Court at Ranchi is directed to send all the papers to the Family Court at Muzaffarpur, Bihar.

2. The transfer petition is allowed accordingly.