

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION(C)NO.929 OF 2009

UDITA GUPTA

... PETITIONER(S)

VERSUS

DEVYA MOHAN

... RESPONDENT(S)

O R D E R

Heard learned counsel for the petitioner. Even though the respondent was served with a notice, but he has not chosen to enter his appearance. The petitioner-wife is now staying at Patna with her parents and the respondent-husband has filed HMA Petition No.1393 of 2007. The petitioner-wife submits that as she is residing at Patna, she is unable to defend the case at Delhi and seeks transfer of H.M.A. Petition No.1393 of 2007 titled "Shri Devya Mohan Vs. Smt.Udita Gupta" pending in the Court of Additional District Judge, Karkardooma Court, Delhi to the Court of Principal Judge, Family Court, Patna (Bihar). Having regard to the facts and circumstances of the case, we order accordingly. The Additional District Judge, Karkardooma Court, Delhi is directed to send all records to the Family Court at Patna.

The Transfer Petition is disposed of accordingly.

.....CJI
(K.G. BALAKRISHNAN)

.....J.
(P. SATHASIVAM)

NEW DELHI;
7TH SEPTEMBER, 2009