

CASE NO.:
Transfer Petition (civil) 65 of 2007

PETITIONER:
GEETA DEVI

RESPONDENT:
ANAND KUMAR

DATE OF JUDGMENT: 12/03/2008

BENCH:
S.B. SINHA & P.P. NAOLEKAR

JUDGMENT:
JUDGMENT
O R D E R

TRANSFER PETITION (CIVIL) NO. 65 OF 2007

Nobody appears on behalf of the respondent despite service of notice. Heard the learned counsel appearing on behalf of the petitioner.

Keeping in view the facts and circumstances of this case, we direct that O.S. No. 229/2006, titled as Anand Kumar vs. Geeta Devi, filed by the respondent herein under Section 13 of the Hindu Marriage Act, 1955, pending in the Court of Civil Judge, Senior Division, Deoria (U.P.) be transferred to the Court of District Judge, Delhi.

The Civil Judge, Senior Division, Deoria, may send all record of the case to the District Judge, Delhi who shall take up the matter for trial himself or may transfer to a Court of competent jurisdiction. The transferee Court shall issue a fresh notice to the parties after fixing the date of hearing.

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The transferee Court shall, keeping in view the fact that the respondent is a resident of Deoria in the State of U.P., accommodate the respondent as far as practicable and shall make all endeavour to take up the matter on the dates fixed for hearing. The petitioner shall not seek any adjournment, without any cogent reasons, on the dates on which the matter is fixed. The transfer petition is allowed accordingly.