

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 2090/2019

PRIYANKA KUMARI PETITIONER(S)
VERSUS
SHAILENDRA KUMAR RESPONDENT(S)

O R D E R

The order dated 13.10.2023 for the reasons stated therein holds that the respondent - Shailendra Kumar has been served.

By the order dated 29.08.2019 while issuing notice, proceedings in MAT Suit No. 361/2019 titled "*Shailendra Kumar vs. Priyanka Kumari*", pending before the Court of Additional District Judge, FTC - 5 Barasat, North 24 Parganas at Kolkata were stayed. It is, therefore, apparent that the respondent would be aware of the pendency of the present petition.

In view of the aforesaid, the respondent is proceeded, *ex-parte*.

Having given due consideration to the contentions raised by the petitioner, the averments made in the transfer petition, and in the interest of justice, the transfer petition is allowed.

Accordingly, MAT Suit No. 361/2019 titled "*Shailendra Kumar vs. Priyanka Kumari*", pending before the Court of Additional District Judge, FTC - 5 Barasat, North 24 Parganas at Kolkata is directed to be transferred to the court of Principal Judge, Family

Court at Bokaro, Jharkhand, who may hear the case himself or assign it to a court of competent jurisdiction.

Records of the case would be immediately transferred to the transferee court.

To cut short delay, parties are directed to appear in-person or through the authorized representatives, or through video-conferencing if the said facility is available in the transferee court on 12.12.2023. In case there is non-appearance on behalf of a party on the date fixed, court notice would be issued by the transferee court to the defaulting party.

The parties may explore possibility of settlement through mediation. The transferee court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

The transferee court would decide the matter expeditiously.

Pending application(s), if any, stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
OCTOBER 20, 2023.

ITEM NO.1

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G STransfer Petition(s)(Civil) No(s). 2090/2019

PRIYANKA KUMARI

Petitioner(s)

VERSUS

SHAILENDRA KUMAR

Respondent(s)

IA No. 126261/2019 - EX-PARTE STAY)

Date : 20-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTIFor Petitioner(s) Mr. Kapil Chandna, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Shashank Gusain, Adv.
Mr. Akash, Adv.
Ms. Akrati Gupta, Adv.
Mr. Vishwa Pal Singh, AOR

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

The transfer petition is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)