

Priyanka Rameshwar Likhari vs Rameshwar Khusal Likhari on 15 November, 2022

Author: J.K. Maheshwari

Bench: J.K. Maheshwari

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 2131 OF 2021

PRIYANKA RAMESHWAR LIKHAR

.....

PETITIONER

VERSUS

RAMESHWAR KHUSAL LIKHAR

.....

RESPONDENT

O R D E R

As per the office report, the respondent has been served. However, none has appeared on behalf of the respondent.

It may be noted that by the order dated 30.11.2021, while issuing notice, proceedings in Family Suit No. 05 of 2021, titled, "Rameshwar Khushal Likhari vs. Priyanka Rameshwar Likhari", pending before the Court of Principal Family Judge at Bhuj, Kutch, Gujarat 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, Family Suit No. 05 of 2021, titled as "Rameshwar Khushal Likhari vs. Priyanka Rameshwar Likhari", pending before the Principal Family Judge at Bhuj, Kutch, Gujarat is directed to be transferred to the court of Principal Judge, Family Court at Baitul, Madhya Pradesh, 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 14.12.2022. In case there is non-appearance on behalf of the 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. (J.K. MAHESHWARI) NEW DELHI;

NOVEMBER 15, 2022.

ps

ITEM NO.14

COURT NO.8

SECTION XVI-A

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

TRANSFER PETITION(S) (CIVIL) NO(S). 2131/2021

PRIYANKA RAMESHWAR LIKHAR

PETITIONER(S)

VERSUS

RAMESHWAR KHUSAL LIKHAR

RESPONDENT(S)

(IA No. 149938/2021 - EXEMPTION
149937/2021 - STAY APPLICATION)

FROM FILING O.T., IA No.

Date : 15-11-2022 This matter was called on for hearing today. CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA HON'BLE MR. JUSTICE J.K.
MAHESHWARI For Petitioner(s) Mr. Raghvendra Kumar, Adv.

Mr. Anand Kumar Dubey, Adv.

Mr. Shashank 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.

(POOJA SHARMA)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file.)