

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. OF 2024

**(PETITION UNDER SECTION 25 OF THE
CODE OF CIVIL PROCEDURE, 1908)**

IN THE MATTER OF :-

Karuna Bipin Atyale

....Petitioner

V/s

Bipin Prabhakar Atyale

....Respondent

WITH

I.A. NO. _____ OF 2024

(Application for stay)

PAPER BOOK

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**ADVOCATE FOR THE PETITIONER:
DR. RAVINDRA S. CHINGALE**

I N D E X

RECORD OF PROCEEDINGS

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<u>NO.</u>		

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I N D E X

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“A”

IN THE SUPREME COURT OF INDIA

(CRIMINAL APPELLATE JURISDICTION)

TRANSFER PETITION (Cs) NO. OF 2024

IN THE MATTER OF :

Chanak Manish Agarwal Petitioner

V/s

Diwaker Bagri Respondent

OFFICE REPORT ON LIMITATION

1. The Petition is/are within limitation
2. The Petition is barred by time and there is delay ofdays in filing the same against order dated and petition for Condonation ofdays delay has been filed.
3. There is delay of days in Refiling the petition and petition for Condonation of days delay in Refiling has been filed.

BRANCH OFFICER

NEW DELHI

Dated: 05.08.2024

PROFORMA FOR FIRST LISTING

SECTION-

The case pertains to (Please tick/check the correct box):

- Central Act: _____ **C.P.C.**
- Section: Section _____ **25**
- Central Rule: (Title) _____ **NA**
- Rule No(s): _____ **NA**
- State Act : (Title): _____ **NA**
- Section: _____ **NA**
- State Rule : (Title) _____ **NA**
- Rule No(s): _____ **NA**
- Impugned Interim Order: (Date) _____ **N.A.**
- Impugned Final Order/Decree : (Date) : N.A.
- High Court : (Name) **N.A.**
- Names of Judges. **N.A.**
- Tribunal/Authority : (Name) **NA**

-
1. Nature of matter: **Civil T.P.** Criminal
2. (a) Petitioner/appellant No.1: Karuna Bipin Atayale
(b) e-mail ID: _____ **NA**
(c) Mobile phone number: _____ **NA**
3. (a) Respondent No. 1 Bipin Prabhakar Atyale
(b) e-mail ID: _____ **NA**

A-2

- (c) Mobile phone number: **NA**
4. (a) Main category classification: **18. Ordinary Civil Matter**
(b) Sub classification: 1802 T.P. U/s 25 of CPC
5. Not to be listed before: **NA**
6. (a) Similar disposed of matter with citation, if any, & case details

No Similar matter is disposed of

- (b) Similar pending matter with case details **No Similar matter is pending**

7. **Criminal Matters:**

- (a) Whether accused/convict has surrendered: NA
(b) FIR No. NA
(c) Police Station: N.A.
(d) Sentence Awarded: NA
(e) Period of Sentence Undergone including period of Detention/Custody Undergone: NA

8. **Land Acquisition Matters:**

- (a) Date of Section 4 notification: _____ **NA**
(b) Date of Section 6 notification: _____ **NA**
(c) Date of Section 17 notification: _____ **NA**

9. **Tax Matters:** State the tax effect: _____ **NA**

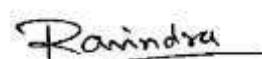
10. **Special Category** (first petitioner/appellant only): **NA**

Senior citizen 65 years SC/ST Woman/child Disabled

Legal Aid case In custody

11. Vehicle Number (in case of Motor Accident Claim matters): **NA**

Date: **05.08.2024**



[**Dr. Ravindra S. Chingale**]
Advocate for the Petitioner
Registration No. **2569**
e-mail:- aorchingale@gmail.com

B

SYNOPSIS & LIST OF DATES

The petitioner-wife is seeking transfer of M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband for divorce before the Ld. 8th Joint C.J.S.D. and Addl. C.J.M. Pune City, Pune titled as “Bipin Prabhakar Atyale vs. Mrs. Karuna Bipin Atyale” to the Family Court Bengaluru.

Marriage of the Petitioner and Respondent was solemnized on 23/06/2013 at Pune PCMC according to Buddhist Rites and rituals. Out of wedlock on 04.04.2015 respondent gave birth to a male child. Presently petitioner is staying with her son at Bangalore and respondent husband is staying at Pune.

The petitioner is mentally and physically tortured by the respondent immediately after the marriage. Responder was also having extra marital affair and despite petitioner caught him red handedly he did not stop the same. In September, 2020 respondent physically abused the petitioner and abandoned her and their son alone. Since then the respondent was staying at Bengaluru.

C

The petitioner filed divorce petition before Principal Family Judge at Bengaluru at Nayadegula. However the respondent filed similar proceedings for divorce before Family Court Pune and therefore the Petitioner is seeking transfer of the same to Bengaluru on below mentioned main circumstances.

- **No place for stay at Pune:** Petitioner has no relative in Pune with whom petitioner can stay at the time of court proceedings. Thus, petitioner has no place to stay at Pune.
- **Respondent is working in Pune:** It is admitted that the respondent is working in Pune and his parents stays at Kalyan, Thane. Thus, no hardship will be caused to respondent if the pending divorce proceeding is transferred to Bengaluru.
- **Financial Status and dependency of Petitioner:** Petitioner is a Doctor and she has her small clinic. She is looking after her son Kabir. Her income from her clinic is not sufficient and sometimes she has to borrow money from her parents. Petitioner has no

D

separate additional income and she could not afford expenses for traveling and staying at Pune.

- **Inability to meet expenses:** The respondent has not given a single penny to the petitioner to maintain herself and her son. As such, the petitioner has no income by which she can manage herself. Petitioner has filed application for interim maintenance and the same is still pending before Court at Bengaluru.
- **Long Distance:** The petitioner is staying in Bangalore, Karnataka which is around 842 km from Pune, Maharashtra. Around 14-15 hrs are required to travel by bus or train. Although there are flights but it is very expensive for the petitioner and she could not afford it with her limited income. Travelling is also expensive and requires somebody to accompany. The petitioner-wife does not feel safe in taking this long and tough journey alone. It needs at least 3 days for attending one date of hearing of court proceedings. Petitioner cannot leave her 10 year old son for 3 days who is totally dependent on her.

E

- **Pending cases at Bangalore:** Petitioner has lodged a Divorce petition bearing Marriage Petition M.C. no. 5182 of 2023 before Principal Family Judge at Bengaluru. Thus, transfer of the proceedings as prayed for herein below will help both the petitioner and respondent to solve the *lis* between them quickly and without any hardship to both the parties. Otherwise, there is a possibility of conflict of judgment by both the courts at Bengaluru and Pune. To avoid the same it is necessary to transfer the proceedings from Pune to Bengaluru.
- **Petitioner is running her Clinic:** Petitioner is doctor and running her clinic at Bangalore. Being a professional it is not possible for her to spend 3 days to attend the proceedings at Pune.
- **Physical torture by Respondent:** It is admitted position that there were many past incidences where respondent manhandled petitioner and tortured her. Thus, considering the behavior of respondent it is highly unjustified to attend the court proceedings at

F

Pune. Petitioner filed police complaint at Adugodi Police, Bengaluru and explained the details of the incidence. Respondent is influential and resourceful person and there is threat to the life of the petitioner.

- **Son of petitioner is studying in Bengaluru:** Son of petitioner, Kabir, is studying in Chinmay Vidyalaya Bengaluru and therefore it is not possible for petitioner to leave her son alone and to go to Pune for attending court hearings.
- **Impermissibility of video conferencing:** This Hon'ble Court in *Santhini v. Vijaya Venketesh, (2018) 1 SCC 1* held that video conferencing cannot be deployed by Family Courts as a means to conduct hearings in matrimonial matters unless (i) both parties expressly consent to the same, and (ii) efforts for reconciliation have been undertaken and have failed. Neither condition is satisfied in the present case. Further, the petitioner has no strong WiFi internet connection to allow court hearings through video conferencing.

G

• This Hon'ble Court has repeatedly held that in matters of this nature, especially when the husband files a matrimonial case against the wife, it is the convenience of the wife that is paramount.¹ The petitioner has already suffered a lot of mental trauma and agony at the hands of the Respondent, and it would further increase her suffering if she has to repeatedly visit Pune and incur enormous travel expenses along with risk to her life and health just to attend the judicial separation proceedings initiated by the Respondent on completely false and frivolous grounds.

In the above mentioned circumstances this Hon'ble Court may consider the hardship and inconvenience cause to the Petitioner wife and transfer the Petition for Divorce pending at 8th Joint C.J.S.D. and Addl. C.J.M. Pune City, Pune, Maharashtra to the Family Court

¹ See e.g. Sumita Singh v. Kumar Sanjay, (2001) 10 SCC 41; Amita Shah v. Virender Lal Shah, (2003) 10 SCC 609; Sangeeta v. Prasant Vijay Wargiya, (2004) 13 SCC 407; Rajani Kishor Pardeshi v. Kishor Babul Pardeshi, (2005) 12 SCC 237.

H

at Bengaluru, Karnataka in the interests of justice, equity and good conscience.

List of Dates

23.06.2013	The Petitioner wife married to the Respondent Husband on 23.06.2013 at Pune PCMC with Buddhist rites and rituals. After the marriage both the Petitioner and Respondent stayed at Pune on rent from July 2013 at Chafekar, Chinchwad, PCMC. All the expenses of the marriage, ornaments and clothes were borne by father of the petitioner.
04.04.2015	A boy, Kabir, was borne out of the wedlock and who was born on 04.04.2015. He is presently studying in Chinmay Vidyalaya Bengaluru.
December 2015	Because of the job of the Petitioner later they have been shifted to Bangalore at Koramangala 8 th Block Bangalore.

Aug, 2019	Petitioner accidentally got knowledge of extra marital affair of respondent. When she asked the respondent in front of his brother respondent confessed and cried and promised not to indulge in ever after. This was only short-lived and only to erase the conversation the respondent played the trick and again after a month the respondent started the same.
Sept, 2020	Respondent reached his limits in physical abuse. In the month of Sept. 2019 the respondent strangled petitioner so that respondent was in excruciating pain and could not breath, after releasing her. Respondent had called his brother Nitin and told him his behavior towards me, and while she was on the call, he was hitting her beating badly. Petitioner told his brother to tell on speaker that to stop abusing her, even though he told

J

	respondent to stop he continued to beat her. Petitioner was not left with any alternative and as such she dialed 100, and called the Adugodi Police, Bengaluru
2022	Petitioner faced with operation of Appendicitis. Petitioner called respondent for financial help. However, he denied.
04.04.2022	On the 8 th Birthday of her son Kabir, Respondent chose not respond.
11.08.2023	Petitioner filed divorce petition no. 5182 of 2023 before the Family Court Bangalore. To counter balance the same, the respondent filed another divorce petition before the Court at Pune.
05.08.2024	Hence, petitioner filed this Transfer Petition.

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

**TRANSFER PETITION (CIVIL) NO. OF 2024
(PETITION UNDER SECTION 25 OF THE CODE
OF CIVIL PROCEDURE, 1908)**

IN THE MATTER OF :-

Karuna Bipin Atayale

Age. 35 yrs. Occ. Doctor

Religion Buddhist

Add: House No. 415,

1st Floor, Mallapa Reddy Layout,

2nd Cross, Koramangala 8th Floor Block,

Bangalore- 560095

Email:-kamblekaruna87@gmail.com

Ph.No 9844301891

.....PETITIONER

Versus

Bipin Prabhakar Atyale

Age- 40 Years Occ: Salaried

Religion: Buddhist

Add: C/304,SHREEJI Park

Behind shree Complex Phase-3,

Adharwadi Jail Road.

Klayan West – 421301

E-mail: atyalebipin@gmail.com

Phone No: 9892445415

S/o Late Ramesh Kumar Bagri,
Age. 26 yrs. Occ. Service
R/o Spelndour, 4th Cross Road,
Hanumangiri, Naidu Layout,
Chikkalasandra, Bangaluru,
Bangalore – 560061, Karnataka

...RESPONDENT

**PETITION UNDER SECTION 25 OF THE CODE OF CIVIL
PROCEDURE, 1908 FOR TRANSFER OF Marriage
Petition No. 1230 of 2023 u/s 13(1) (ia) OF HINDU
MARRIAGE ACT, 1955 FILED BY THE RESPONDENT
HUSBAND FOR DIVORCE BEFORE THE LD. 8th JOINT
C.J.S.D. AND ADDL. C.J.M. PUNE AT PUNE TITLED AS
“BIPIN PRABHAKAR ATYALE VS. KARUNA BIPIN
ATYALE ALIAS KARUNA VILAS KAMBLE” TO THE
FAMILY COURT BENGALURU, KARNATAKA.**

To

The Hon'ble Chief Justice of India and
His Companion Judges of the Supreme Court of
India.

The Transfer Petition of the petitioner above named:

MOST RESPECTFULLY SHOWETH:

1. This transfer petition is being filed under Section 25 of the Code of Civil Procedure, 1908 for seeking transfer of divorce proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune titled as “Bipin Prabhakar Atayale vs. Mrs. Karuna Bipin Atyale” to the family court Bengaluru.

1(a). It is submitted that in the present petition name of city Bengaluru (new name) is written as (Bangalore) old name wherever necessary. Both the names are of the same city Bengaluru.

2. It is submitted that, marriage of the Petitioner and Respondent was arrange marriage and it came to be solemnized according to the Buddhist rites and rituals and with the consent of both the families on 23.06.2013 at Pune PCMC. After marriage both the Petitioner and Respondent stayed at Pune on rent from July 2013 at Chafekar Chowk, Chinchwad, PCMC. Because of the job of Respondent later they

shifted to Bangalore at Koramangala 8th Block Bangalore on December 2015.

3. Petitioner submits that the Respondent is a software engineer and working in a decent software company at Pune. Parents of respondents are also staying at Kalyan.
4. It is submitted that after the marriage on 04.04.2015 petitioner and respondent gave birth to a baby boy, Kabir. Presently he is studying at Chinmay Vidyalaya at Bengaluru.
5. However, it is important to note that immediately after marriage the approach of the respondent towards petitioner changed and he had started misbehaving with the petitioner.
6. It is further submitted that in the month of December 2015 when the child naming ceremony was planned, the petitioner had to invite my elder sister-in-law to the function as a norm, when she went to Rohini Atyale, her Mother-in-law started to abuse and made

a big scene of the meeting, and she did not join the ceremony and forced me to take care of things and arrange the same for the ceremony in a fit of anger, my Mother-in-law took revenge against me for calling my elder sister -in-law for the ceremony.

7. It is submitted that Petitioner when her son became 2 years old the respondent forced petitioner to look for a job and start earning so as to buy a house. When petitioner started the job, respondent completely left her and stopped to contribute anything towards expenses, including the rent of the house. Since then the petitioner is taking care of her son and mitigating the expenses.

8. It is further submitted that the respondent forced petitioner to sell her 70 gms of jewellery for the down payment of the apartment and took away her salary.

9. When petitioner and respondent started staying at Bengaluru, all the while respondent used to threaten Petitioner that he would leave me and my son and go

out and stay in PG Hostel and leave them alone. The petitioner has been taking care of her son, schooling and fees, the respondent was just reluctant to contribute and finding ways to escape.

10. It is submitted that in August, 2019 petitioner accidentally got knowledge of extra marital affair of the respondent. When this was confronted in front of the brother of the respondent then he confessed and cried and promised not to indulge in ever after. This was only short-lived and only to erase the conversation the respondent played this trick and again after a month he received a video call and they were involved in conversations and he left.

11. In Sept 2020, the respondent had reached his limits in physical abuse, he strangled petitioner so that she was in excruciating pain and could not breath, after he released she called his brother Nitin and told him his behavior and while she was on the call, he was hitting her beating badly. Petitioner had no choice but to dial 100, and Adugodi Police,

Bengaluru came, before the police arrive the respondent fled from the house and petitioner had to make a report in writing to the Adugodi Police.

12. In 2022, petitioner had to undergo Appendicitis Operation and since she was not having sufficient money, she called respondent to assist me financially, but he refused and never helped her to undergo surgery. Further on 4/4/2022, birthday of son, when their son wanted to talk to respondent, he neither call him nor spoke when son started talking to him.

13. Being harassed by the respondent, petitioner at last forced to file divorce petition before the Family Court Bengaluru on 08.08.2023. Hereto annexed and marked as **Annexure P-1 (Pg. 19 to 27)** is true typed copy of the petition M.C. No. 5182 of 2023 dated 08.08.2023.

14. As a counterblast and to harass the petitioner the respondent filed divorce proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage

Act, 1955 before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune. Hereto annexed and marked as

Annexure P-2 (Pg. 28 to 42) is true copy of the memo of petition of the case Marriage Petition no. 1230 of 2023 along with copy of summons dated 18.03.2024.

15. It is submitted that the son of the petitioner is studying in Chinmay Vidyalaya. Hereto annexed and marked as **Annexure P-3 (Pg. 43)** is true copy of the progress report for the year 2022-2023.

16. It is submitted that petitioner is also working as duty doctor with Mamoor Welfare Trust, Mamoor Health Centre from 01.06.2018. Hereto annexed and marked as **Annexure P-4 (Pg.44)** is true copy of the certificate issued by Mamoor Welfare Trust dated 10.08.2023.

17. It is submitted that the petitioner is not getting any maintenance from the respondent and financial condition of the petitioner is not so good. Petitioner is working in a hospital as well as running her clinic to

mitigate her expenses and also she is taking care of her son, his education and other expenses.

18. The Petitioner submits that since the controversy in the present Transfer Petition is very narrow, she is advised not to refer further to the merits of the case as between the parties in this petition and will elaborate only the grounds taken by her for the purpose of this transfer petition.

19. In the circumstances, the Petitioner is constrained to move this Hon'ble Court in its jurisdiction under Section 25 of the Code of Civil Procedure, 1908 and Article 139A(2) of the Constitution of India on the following amongst other grounds which are in the alternative and without prejudice to each other.

i. It is submitted that the Petitioner is now staying at Bengaluru with her son which is around 850 km from Pune. Son of the petitioner is studying

in Chinmay Vidyalaya and she could not leave him alone at Bengaluru to attend the court proceedings at Pune. As such if petitioner has to travel to the Pune from Bangalore for hearing of the aforesaid case it will be difficult for petitioner to travel alone.

ii. Petitioner is working in Mamoor Health Centre and also running her clinic. She could not travel to Pune from Bengaluru to attend the court proceedings leaving behind her responsibility as a doctor. On the contrary there is no hardship or prejudice or inconvenience to the respondent if the matter has been transferred to Bengaluru Family Court and respondent has to come down to the Bengaluru for hearing. On the contrary, if the petitioner has to travel from Bangalore to Pune for regular hearing, it will cause serious hardship and inconvenience to the petitioner.

iii. It is submitted that, the distance between Kolhapur and Bangalore is about 850 kilometres and it takes around 14 to 15 hours for one way travel by train/bus. It is very difficult to travel alone such a long distance. The flight connectivity is also not regular and frequent, rather it is highly expensive. The Petitioner has to travel alone and now there is no place for stay in Pune. In this situation it is very difficult for petitioner to go to Pune and attend the court hearing. It took at least 3 days to attend one date. Petitioner has to stay in Pune and being a lady, without getting any maintenance from respondent, it will be an additional financial burden on the petitioner. It will be rather in the interests of justice to transfer the proceedings to Bangalore where the Petitioner is staying with her parents.

iv. It is submitted that petitioner cannot afford the travelling and other court expenses in Pune. Petitioner is not getting any kind of maintenance

from the Respondent. If she will be burdened on further expenses on travel and accommodation for court hearings to Pune a greater hardship will be caused to her.

v. The petitioner is totally dependent on her income. Every time there is nobody to accompany the petitioner to travel to Pune to attend court hearing. Thus, petitioner cannot travel alone and go to Pune for attending the court proceedings. In the circumstances, this is a fit case for this Hon'ble Court to direct transfer of the proceedings as prayed for herein below.

vi. The Petitioner has already filed on 11.08.2023 divorce petition M.C. no. 5182 of 2023 before Principal Judge, Family Court, Bengaluru. Respondent filed another Divorce petition being M.P. No. 1230 of 2023 before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune. In view of the

similar proceedings pending before the two different courts there is a possibility of conflicting views and to avoid the same it is necessary to transfer the proceedings at Pune to Bengaluru.

vii. Respondent is very esourceful person and the Petitioner apprehends that there is threat to her life.

viii. It is submitted that Petitioner has also filed application for interim maintenance before the Familu Court Bengaluru and also filed application for transfer of the proceedings at Pune to Bangalore in the Court of Pune. However the same is pending. In view thereof, if the pending divorce proceeding before the Pune Court has been transferred to Bengaluru Family Court there will not be any harm and prejudice to the respondent, in fact, it will help to the judges to come to the proper conclusion. Transfer of the proceedings as prayed for herein

below will help both the petitioner and respondent to solve the *lis* between them quickly and without any hardship to both the parties.

ix. It is submitted that it will be most difficult for the Petitioner if she is required to travel frequently from Bangalore to Pune. The Respondent on the other hand has no other responsibilities and in the circumstances, no inconvenience or hardship will be caused to the Respondent to travel to attend the proceeding at Bangalore.

x. For attending the proceedings at Pune, the Petitioner will have sometime to stay in a hotel. As a lady, Petitioner also finds it extremely difficult to stay in a hotel alone. She has no person to accompany with her for travel to Pune for attending the proceedings initiated by the Respondent husband.

xi. Because this Hon'ble Court in ***Santhini v. Vijaya Venketesh, (2018) 1 SCC 1***

held that video conferencing cannot be deployed by Family Courts as a means to conduct hearings in matrimonial matters unless both parties expressly consent to the same. In the present case petitioner has not given consent for the hearing to be conducted by video conferencing as no facility of proper strong WiFi internet connection and the mobile internet connection with the petitioner so as to allow and attend court hearings through video conferencing;

xii. Because this Hon'ble Court in ***Santhini (supra)***

also held that video conferencing cannot be deployed by Family Courts unless efforts for reconciliation have been undertaken and have failed. It is submitted that in the present case respondent is claiming judicial separation on the ground of desertions by petitioner. However, it is the case of the petitioner that petitioner was ill-treated and

manhandled by the respondent and she has been abandoned by the respondent at Bangalore. In this background it is submitted that no effective efforts for reconciliation have been undertaken by the Family Court so far.

xiii. Because the Petitioner has already suffered a lot of mental trauma and agony at the hands of the Respondent, and it would further increase her suffering if she has to repeatedly visit Bangalore and incur enormous travel expenses just to attend the divorce proceedings initiated by the Respondent on completely false and frivolous ground-s

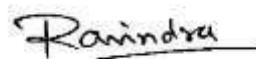
20. The petitioner has not filed any other petition or petitions before this Hon'ble Court earlier. The documents filed with this transfer petition are true copies of their respective originals.

PRAYER:

The Petitioner therefore prays:-

- (a) That this Hon'ble Court be pleased to transfer of divorce proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune titled as "Bipin Prabhakar Atayale vs. Mrs. Karuna Bipin Atyale" to the family court Bengaluru.
- (b) That such further and other orders be passed as deemed necessary in the facts and circumstances of the present case.

Filed by:



(DR. RAVINDRA S. CHINGALE)
ADVOCATE FOR THE PETITIONER
NEW DELHI

Filed on: 05.08.2024

VAKALATNAMA
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. OF 2024

IN THE MATTER

Mrs. Karuna Bipin Atyale

...PETITIONER/S

V/s

Bipin Prabhakar Atyale

....RESPONDENT/S

AFFIDAVIT

I, Karuna Bipin Atyale, Age 37 yrs. Occupation: Doctor, R/o 415, First Floor, Mallappa Reddy, Second Cross, 8th Block, Koramangala, Bengaluru Pin. 560095, Karnataka do hereby solemnly affirm and state as follows:

1. I say that I am one of the petitioners in the above-mentioned Transfer Petition. I say that I am conversant with the facts of the present case and as such I am able to depose thereto on behalf of Petitioners.
2. I say that I have read the contents of accompanying Transfer Petition at paragraphs 1 to **20** at page **1** to **17** and the synopsis and list of dates at pages **B** to **J** and the I.A.s and the same are true to my own knowledge and belief.
3. I say that the documents as Annexure P/1 to P/**4** annexed to the TP are true copies of their respective originals and are part of the record of the courts below.
4. I say that the petitioner has not filed any other petition against the order impugned herein. I have understood the contents of the petition in my mother tongue and for that I am putting my signature hereinbelow.


DEPONENT
VERIFICATION

Verified at Bangalore dated this 30 of July, 2024 that the contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed there from.


DEPONENT

SWORN TO BEFORE ME



B.M. CHANDRASHEKAR
Advocate & Notary Public
B.D.A. Complex, Koramangala
BANGALORE - 560 034



SL No. 919
Page No. 95
BOOK No. 1005
DATE 30/07/2024

Annexure P-1

IN THE COURT OF HON'BLE PRINCIPAL FAMILY JUDGE AT
BENGALURU
AT NAYADEGULA
M.C. No. 5182 of 2023

Mrs. Karuna Bipin Atyale
Age 35 years Occ: Professional
Religion Buddhist
Address: 415 1st Floor Mallappa Reddy Layout
2nd Cross, Koramangala 8th Block, Bengaluru – 560095
Email: kamblekaruna87@gmail.com
Ph: 9844301891

.....Petitioner

V/s.
Mr. Bipin Prabhakar Atyale
Age 40 years Occ: Software
Religion Buddhist
Address: C/304 Shreeji Park Behind Shree Complex Phase 3
Adharwadi Jail Road, Kalyan West – 421301
Email: Atvalebipin@gmail.com
Ph: 9892445415

.....Respondent

**MEMORANDUM OF PETITION U/S 13(1)(I) & (I-A) R/W SECTION 25
OF THE HINDU MARRIAGE ACT, 1955**

The Petitioner most respectfully submits as follows:

ADDRESS FOR SERVICE OF SUMMONS:

1. The Address of the petitioner for the purpose of service of notice/summons is as mentioned in the cause title above.

FACTS OF THE CASE

2. I Submit that we (my parents) had registered with “Sachak Vadhu Var Suchak Kendra, Pune”. The Petitioner and Respondent and their families got to know about one another, after the said Marriage Bureau had organized an event for its members. After the first meeting, the Respondent and his brother i.e., Nitin Atyale, had visited the house of parents of the Petitioner. After said meeting, the parents of the Petitioner visited the house of the Respondent, at Kalyan.

In said meeting, the Respondent introduced them to all family members and informed that, their elder Daughter-in-Law Rohini is not in the house, as she has gone to her matrimonial household, as she has initiated legal proceedings against the entire family. Further, they also stated that, they had to “unnecessarily” go through legal troubles, and spend days in jail. At that point like any prudent human being, my parents, were taken a back and had sought some time to think.

3. Since respondent was a software engineer and was earning 100000 Approximately and working at Tech Mahindra, and also BE computer science graduate my elders decided to agree to the marriage.

4. My parents had agreed to the demands made by the respondent parents that is 70 grams of gold which included Chain, earrings, & rings and also house hold articles to be provided by my parents since the respondent was living in a paying guest house, so after marriage wanted to move to a Single bedded apartment at Pune.

5. In the early days of marriage everything was fine, and we also appointed a maid to take care of things, and once I became pregnant and was not well at times, respondent started showing his true colours by abusing at times and getting irritated, unnecessarily and stopped the maid from work.

6. On 4/4/2015 I gave birth to a male child by name Kabir, the real irritation was shown towards me and my child, respondent was very abusive even for the child crying, who is his own child. He started to abuse badly and shy away the responsibility towards the child and myself.

7. while respondent was abusing and angry at times, for the first time when we were living at Tanaji Nagar Chinchwad Pune, after the birth of our son the respondent picked up a argument and became physical and hurt his own mother, that is when she called his brother Nitin and asked him to come and take her back to kalyan. This was something I was never experienced and started to feel insecure about respondents' habits and his vulgar language and physical madness even to the extent of hurting his own mother. I was shell shocked and scared to co-habitat.

8. For a better opportunity respondent accepted an offer at Bengaluru and we had to move to Bengaluru to live, even though it was a better work place, he decided not to have a maid, and with a tender baby in my hands, he wanted me to continue with dialy chores and not even ask for any help. He abused and treated harshly at all times, after the child birth, respondent started to act indifferently

towards me and my son, giving a careless presence and made us to feel as if we were a burden on him, and took no responsibility. For small things respondent used to get irritated and started to physically beat me, when the child sees that act of physically hurting me, the baby used to cry and respondent never bothered to change his behavior in fact he increased it to next level.

9. In December 2015 when the child naming ceremony was planned, I had to invite my elder sister-in-law to the function as a norm, when I went to Rohini Atyale, my Mother-in-law started to abuse and made a big scene of the meeting, and she did not join the ceremony and forced me to take care of things and arrange the same for the ceremony in a fit of anger, my Mother-in-law took revenge against me for calling my elder sister -in-law for the ceremony.

10. when Kabir our son turned 2 years, Respondent started to force me to look for a job and start earning so that we need to buy a house and forced me to get a job, when I started the job, respondent completely left me to fetch for my living and my son, and stopped to contribute anything towards expenses, including the rent of the house, we were staying, milk, cylinder, vegetables etc., he even stopped paying the EMI of the housing loan.

11. When we wanted to our house, jointly, I was made to sell all the jewellery that is 70 grams and got 4,34,000/- (four lakhs thirty-four lakh rupees) which was given as a down payment for the apartment purchase and subsequently all my salary was taken away from me and only expenses I used to get from him.

12. While we started staying at Bengaluru, all the while he used to threaten me that he would leave me and my son and go out and stay in PG Hostel and leave us to fetch for ourselves, even though I was pulling the ends to meet, with my clinic work and taking care of my son, schooling and fees, he was just reluctant to contribute and finding ways to escape.

13. In Bengaluru, I had to take help of my landlord to call him back when he left the house to take revenge on me for not listening to him, on every small issue. He used to take note of the ODO meter of the two-wheeler and used pick fights and suspect me, this had become a regular affair and he used to on and off leave the house, my house owner Jairaj had to intervene and called him to come back and he came back. It was insulting to his education level and his exposure, that he was behaving like a sadist and ignoring me and our child.

14. In the month of Aug 2019, I accidentally picked respondent's phone and saw that he was in fact in an extra marital relationship, with Ms. Usha Raikar and they were sexting, on WhatsApp, her nude pictures were shared and they were describing about their physical relationship, when this was confronted in front of his brother respondent confessed and cried and promised not to indulge in ever after. This was only short-lived and only to erase the conversation he played this trick and again after a month he received a video call and they were involved in conversations and he left the house and came the next day. I had nothing but to keep myself away only to save

myself from STD (Sexually transmitted disease) due to his extra marital affair.

14. While life continued miserably for me and our son, In Sept 2020 respondent had reached his limits in physical abuse, he strangled me so that I was in excruciating pain and could not breath, after he released I had called his brother Nitin and told him his behavior towards me, and while I was on the call, he was hitting me beating badly, I had to ask his brother to tell on speaker that to stop abusing me, even though he told respondent to stop he continued to beat me and I had no choice but to dial 100, and Adugodi Police, Bengaluru came, before the police arrive he fled from the house and I had to make a report in writing to the Adugodi Police.

I was always subjected to extreme cruelty and my life totally was shattered when

15. From the time of birth of our son, as a father respondent has not even bought a Bag of diapers to our son, he always ignored the child and only shed crocodile tears when ever we mediated before elders and to cover his extra marital affair and other physical abuses, he hurled at me and apart from ill-treating me and our child.

16. When I used to visit Pune and look for the tenants, and discuss with them to enter into a rental agreement, this time in 2022, when I had to visit to my house in Pune, respondent had instructed the watchman of the apartment, that I am not his wife and we are divorced and have nothing in terms of right regarding the apartment and not to allow me into the society. I had waited for 2 hours and he

never came with the keys. I did not get my keys (Second Set) thinking that there are tenants and I was not updated on the status of the house and he was receiving the rent to adjust into EMI and taking my earning too.

17. In 2022, I had to undergo Appendicitis Operation and since I was not having sufficient money, I had called respondent to assist me financially, but he refused and never helped me to undergo surgery, he always left me high and dry to fetch for myself, My entire life got wasted in hope of correction from respondent. On 4/4/2022 our son wanted to talk to respondent, since it was our son's birthday, as a father he had not called our son, but still the child wanted to speak to his father and asked me to call him, I dialed the number and when my son started to talk to him, he immediately said no one should call me after 10PM and he did not even enquired to my child, no wished him on his birthday, after this day child who is growing his feelings too got shattered and now he is not having any feelings towards his father and we are left on our own to fetch a life out of nothing. I am putting the ends to meet with my work and we are not able to live a simple standard life, since I had a gap after marriage In my professional career, due to marriage and pregnancy, I am not earning that well to take care of expenses, of the clinic. I need financial help and even though respondent is working now with British Telecom, he has ignored us and left us to suffer and live.

18. Despite fulfilling duties as a responsible wife did not have the fortune of receiving even the basic respect from respondent husband.

The health of my is compromised due to my pregnancy and surgery of appendicitis, with out any rest and support I am suffering both physically and mentally, however the only hope is to take care of my child and see him become successful, which requires support both emotionally and financially, while his father has never taken responsibility and always left us to fetch for ourselves, respondent has not made any effort to sort out the marital discord instead is conveniently having an extra marital affair and living a life.

19. **CAUSE OF ACTION**

The cause of action arouses for the present petition on 23.06.2013 when the myself and respondent got married and continues even to this day with the respondent meting out immense mental and physical cruelty on me and our child. On 26/09/2020 when respondent abandoned me and our child, during the tuff times of Corona pandemic, he left us to fetch ourselves at Bengaluru and reached his hometown with no responsibility towards us. I have not filed any suit or case in regard to this cause of action.

20 **JURISDICTION**

Myself and respondent last lived together at the cause title address that is Address: 415 1st Floor Mallappa Reddy Layout 2nd Cross, Koramangala 8th Block, Bengaluru – 560095, therefore this Hon'ble court has the jurisdiction to entertain this petition.

21 COURT FEE

The requisite court fee has been paid on the said petition

22 PRAYER

Wherefore, it is prayed to this Hon'ble Court may be pleased to grant the following reliefs:

1. A Judgement and decree dissolving the marriage of the petitioner and respondent solemnized on 23.06.2013 at Pune.
2. The respondent may be directed to pay a sum of 5 crores towards permanent alimony.
3. the respondent may be directed to pay a sum of 80,000/- as monthly maintenance towards myself and my child fees.
4. Grant such other relief as this Hon'ble Court may deem fit in the interest of justice and equity.

DEPONENT

VERIFICATION

I Karuna Bipin Atyale do hereby verify and declare that this is my name and signature and the contents of the plaint are all true and correct to the best of my knowledge information and belief.

Bengaluru

8/8/2023

DEPONENT

MHPU02-006713-2023

PMHPU020067132023_3_1



Annexure P-2

No. 3

CIVIL COURT PUNE MAHARASHTRA

IN THE COURT OF SMT. S. V. PHULBANDHE

8TH JOINT C.J.S.D AND ADDL C.J.M PUNE, Pune City, Pune.

**SUMMONS TO APPEAR IN
PERSON**
(O. 5, R. 3.)

Marriage Petn./1230/2023
**Bipin Prabhakar Atyale Vs Karuna Bipin Atyale alias
Karuna Vilas Kamble**
NEXT DATE : 16-04-2024

To,

Karuna Bipin Atyale alias Karuna Vilas Kamble
House no. 415, 1st floor, Mallapa Reddy Layout, 2nd Cross, Koramangala 8th Block,
Bangalore 560095.

Whereas **Bipin Prabhakar Atyale** has instituted a suit against you for you are hereby summoned to appear in this Court in person on the **16-04-2024 at 11:00 o'clock in the forenoon**, to answer the claim; and you are directed to produce on that day all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance of the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this **18-03-2024**

8TH JOINT C.J.S.D AND ADDL C.J.M PUNE

Visit ecourts.gov.in for updates or download mobile app "eCourts Services" from Android or iOS

The process is system generated and transmitted in secured manner by authorised user as such physical signature not applied.



IN THE COURT OF HON'BLE FAMILY COURT

AT PUNE

Marriage Petition No 1230 /2023

Bipin Prabhakar Atyale)
 Age - 40 yrs Occ - salaried)
 Religion - Buddhist)
 Add : c/304, Shreeji park)
 Behind shree Complex phase 3,)
 Adharwadi jail road.)
 Kalyan west - 421301)
 E-mail :atyalebipin@gmail.com)
 Ph : 9892445415)...Petitioner

V/s

Mrs.KarunaBipinAtyale)
 @Karuna Vilas kamble)
 Age - 35 yrsOcc - doctor)
 Religion - Buddhist)
 Add : House No. 415,)
 1st Floor, Mallapa Reddy Layout,)
 2nd Cross, Koramangala 8th Block,)
 Bangalore - 560095)
 E-mail:kamblekaruna87@gmail.com)
 Ph:9844301891)...Respondent

In the matter of
Divorce u/s 13(1) (ia)

Of Hindu Marriage
Act, 1955:-

MAY IT PLEASE YOUR LORDSHIP:

The humble petitioner named above, most humbly and respectfully, submits as under:-

1. Petitioner states that, the Respondent & his wife both are Buddhist by religion. Their marriage was a arranged marriage came to be solemnized according to the Buddhist rites and rituals and with consent of both the families at 23 June 2013 at Pune PCMC. Petitioner states that before marriage Petitioner was maiden name was Miss Karuna Vilas kamble Both are domiciled in Maharashtra state.Said Marriage isregistered, so **“Exhibit A” is original copy of Marriage certificate. “Exhibit B” – is Original Marriage Photos.**

2. Petitioner states that, he is having one male issue born out of said marriage named Master Kabir Bipin Atyale now he is 7 years and 8 months

old. "**Exhibit C**" - photocopy of Birth Certificate of Master Kabir Bipin Atyale is annexed with this Petition.

3. Petitioner states that, after 4-5 months of the said marriage, Respondent used to fight over petty issues with Petitioner and with that, Husband and wife conflict since last more than 6 years mental physical torture.

4. Petitioner states that, after marriage both Petitioner and Respondent stayed at Pune on rent from July 2013 at Chafekar Chowk, Chinchwad, PCMC. Because of the job of Petitioner later they shifted to Bangalore - at koramangala 8th Block Bangalore for job purpose on December 2015.

5. Petitioner states that, after few days Respondent started showing her true colors. First major argument happened on March, 2017 approx. whenever Petitioner used to explain Respondent something for example just regarding household chores or it could be any general thinking Respondent response used to be very

aggressive and was never like mature person, in response Petitioner used to get abusive words from Respondent and Respondent used to throw things here and there and do tantrums in anger. This is not expected by Petitioner in this holy relationship, in fact Respondent is doctor by profession and hails from educated family, so throwing many things like utensils here and there in anger, is not expected from such an educated person. In another major incident Petitioner asked for her mobile where she started abusing Petitioner in a very vulgar and abusive language and on next day she started beating Petitioner but every time Petitioner used to tolerate that, thinking that over the time Respondent will become calm and mature and will behave.

6. Petitioner states that, her torture were increasing day by day and tried to report this to Respondent parents over the phone but that was in vain. It was really shocking to Petitioner that, instead of explaining manners and behavior, her family give

her open hands to misbehave with Petitioner.

Petitioner realized that this lady is very aggressive and different and not like a mature person.

7. Petitioner states that, another incident happened somewhere in 2019 where Respondent was walking on clothes and so Petitioner simply said, "Don't walk on washed cloth" and Respondent aggressively came to Petitioner and started hitting him and abusing him. Petitioner did not say anything wrong in this scenario all Petitioners wanted to say is "just calm down" but it was in vain. This time Petitioner reported this event to his parents as well as Respondent's parents and on same day evening Petitioner left the house with clothes and went to stay in paying guest house. Petitioner stayed there for 2 days. During this time Respondent reported this to the house landlord where he called to come back to the home and discuss with Respondent. Petitioner went back to home and told landlord that Respondent is not fit for doing mature level discussion and all that Respondent does is abusing

and hitting the Petitioner. Just to respect landlord's words Petitioner started staying back with Respondent that too without any apology from Respondent. This way things were again taken for granted. These kinds of events happened many times and Petitioner was feeling completely helpless as there was no cognizance taken by her parents even after lot of requests.

8. Petitioner states that, another incident happened on 26th September, 2020 on very basic thing and Respondent made it very complex by saying lot of abusive words and violence. Petitioner requested Respondent to sit and discuss rather than just abusing and hitting. Petitioner all efforts wasted to have tension free married life, Respondent fought with Petitioner but she herself went to police station where police called Petitioner and started asking about the matter and police officer explained both of them not to fight with each other and sent them back but Respondent was not satisfied with this and dialed '100' number and called police at

home to torture Petitioner and to defame his name in society. Somehow Petitioner tried to explain police that, 'they have already been to police station on the same day. But there was a serious humiliation by the police of Petitioner and police did not listen and allow Petitioner to say anything. In this humiliation Petitioner booked flight for next day morning to go to parent's house at Kalyan, (Thane District) and left the house as this mental torture was beyond Petitioner tolerance level. After coming to parent's house Petitioner sent one letter to senior

in- charge of Adgudi Police Station, the photocopy of that letter is annexed as Exh- D

Bangalore mentioning that Respondent is threatening and continuously torturing and harassing Petitioner and hence in order to establish the peace and to reduce the further tension happened on that day Petitioner left the house.

9. Petitioner states that, he tried to talk with Respondent after coming back to parent's house at Kalyan that, 'let's get separated peacefully as

nothing is working between us' but all efforts were in vain. Petitioner also sent one written letter to Respondent mentioning overall mental torture that he has gone through as well as mentioned that if we have to lead peaceful life getting separated is the best option. But there was no mature response to it and all that Petitioner got in response over the phone is abusive language and mental torture mentioning that, "I will keep torturing you till your death and will not give you divorce." The Language used by Respondent to Petitioner is 'पावशेर, रोगट टुक्कर, तोङ्या, काळतोङ्या'

10. Petitioner states that. Petitioner's son Master Kabir Bipin Atyale was born on 4th April, 2015. "Letter to get separated" peacefully was sent on 2nd Sept, 2021. There is typographical mistake in that letter regarding the date on which Petitioner left Bangalore house which is Sept, 2021 but correct date is Sept, 2020 **The photocopy of that letter is annexed as Exh- E** where in that letter

Petitioner asked to have a meeting to close this matter by getting separated peacefully. According to response to that letter one meeting was set up on 18th Sept, 2021 at Respondent's mother's sister's native at Shel Pimpal, district Pune instead of calling at Respondent's parent's house and Respondent said she will travel there from Bangalore for this meeting. Petitioner went there on the said date with his parents and his elder brother. When reached, Petitioner asked for his son Master Kabir just to meet him but Respondent's father Mr. Vilas Kamble aggressively charged towards Petitioner and denied to meet Master Kabir. Respondent's father was then asked to sit and talk by Respondent's other relatives and Petitioner's relative as well but this was really unwanted incident which was definitely a wrong act by Respondent's father.

11. Petitioner states that, Respondent's parents (Vilas Kamble and Madhuri Kamble), sister (Mrs. Pradnya Kamble) and brother (Mr. Shiladitya

Kamble)) and Respondent herself were not interested at all to have fruitful discussion and their body language was very aggressive and all discussion was not aligned with the actual subject of the meeting. Respondent's mother Mrs. Madhuri Kamble was taunting frequently in between discussion that Petitioner and his parents/family have been jailed they are criminals by birth. This sentence is very humiliating and insulting for Petitioner's family and at the same time they were denying for the divorce. It was really shocking experience for Petitioner and his parents.

12. Petitioner states that, during said meeting Respondent also mentioned that, "I am not interested to stay with you but at the same time I will keep torturing you till your death." This kind of nature is definitely not justified. The Petitioner is and was asking to get separated if things are not working rather than abusing and torturing each other. Finally Petitioner and his parents had to

return back without any outcome coming out of that meeting.

13. The Petitioner submits that now the Petitioner has lost all his hopes and it has now become impossible to cohabit with the Respondent as a Respondent is quarrelsome and violent behavior is hampering the physical and mental health of the Petitioner as there is no chances of reconciliation. Thus, Respondent deprived him of his marital rights and therefore he is entitled for decree of Divorce under the provision of Section 13 (1) (ia) of the Hindu Marriage Act, 1955 as the Respondent has caused extreme physical, mental, financial tortures towards Petitioner without any reason.

14. Petitioner states that, Petitioner staying separately since 27/09/2020 so separation date is calculated from 27/09/2022 till today that is more than two years.

15. That the Petitioner further states that there is no collusion or connivance between the Petitioner and the Respondent for the purpose of obtaining

dissolution of the said marriage or for any other purpose.

16. Petitioner states that, the present petition was previously filed in kalyan court, but due to jurisdiction clause the petition has withdrawn by the petitioner for Case No.A-2267/2022 on dated 05/08/2023, as the kalyan court does not have proper jurisdiction for filing this petition.

17. The Petitioner says that the Petitioner last reside with Respondent at Bangalore, but Petitioner's marriage ceremony took place at Pune, Therefore this Hon'ble Court has an exclusive jurisdiction to try and entertain this Petition.

18. There is no any proceeding regarding divorce pending before this Court or any other Court of India.

19. That the Petitioner filed Rs.200 court fees in court.

20. That the Petitioner shall rely upon documents a list of which is annexed hereto.

THE PETITIONER THEREFORE PRAYS:

- a) That this Hon'ble Court be pleased to pass a Decree of Divorce of Section 13 (1) (ia) of Hindu Marriage Act-1955.
- b) That Hon'ble Court may give custody of Master Kabir Bipin Atyaleto Petitioner.
- c) Any further and such other reliefs as the Hon'ble Court deem fit and proper in the nature and circumstances of the Case.

Place: Pune

Date: ___/___/2023

Petitioner

(Bipin Prabhakar Atyale)

VERIFICATION

I Mr. Bipin Prabhakar Atyale Age: 40 years, yrsOcc:- salaried, Religion- Buddhist. Add: c/304, Shreeji Park Behind shree Complex phase 3, Adharwadi jail road. Kalyan (west)-421301, E-mail :atyalebipin@gmail.com Ph. :9892445415Petitioner do hereby solemnly declare that whatever stated in the paragraph Nos. 1 to ___ is true to my own knowledge and whatever stated in the all the mentioned Paragraphs based on information, legal

submissions and belief which he believed to be true and correct.

Solemnly Declared at Pune)

Place: Pune

Date: __/__/2023 Petitioner

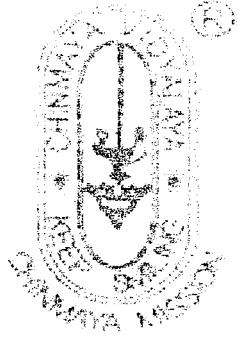
(Bipin Prabhakar Atyale)

Identified and explained by me before me.

43 CHINMAYA VIDYALAYA

(School with a difference)

Affiliated to ICSE & ISC - KA 164. School Dice Code - 29200903852
 No. 31, 15th Main, IV Block, Koramangala, Bengaluru - 560034



PROGRESS REPORT - 2022-23

NAME : KABIR BIPIN ATYALE**Student ID : CV-1B-164 Class : STD II - C****Father's Name : BIPIN P ATYALE****Mother's Name : KARUNA B ATYALE**

SUBJECTS	I-UT	II-UT	Terminal	III-UT	IV-UT	Annual
Max Marks	(25)	(25)	(100)	(25)	(25)	(100)
English Language	C+	C+	B	B+	C	B+
English Literature	B+	C+	C	B	C	C+
Mathematics	B	B+	C+	D	B+	C+
Environmental Science	A	A+	A	A+	B	B+
II Language	C	C+	C	C+	C	C
Secured Grade	B	B	C+	B	C+	B
Computers	C	A	B	A	A	B
S.U.P.W.	B	B	B	B	B	B
Chanting/Value Education	C	C	B	C	C	B
Attendance		.				181
Total Working Days						199
Date	30.6.22	31.7.22	30.9.22	30.12.22	31.1.23	31.3.23

Personality Traits	Annual
Punctuality	A
Discipline	A
Self Confidence	A
Concentration	A
Cleanliness	A
Social Skills	A

Remarks
Annual : Good. Promoted to Class III

Deepa .w
 Class Teacher's Signature

Ganga hukarana
 Principal's Signature

GRADES	90 - 100 : A+ : Excellent	80 - 89.5 : A : Very Good	70 - 79.5 : B+ : Good
60 - 69.5 : B : Satisfactory	50 - 59.5 : C+ : Fair	40 - 49.5 : C : Average	Below 39.5 : D : Below Avg



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10th August 2023

To Whom Ever It Concern

This is to certify that **Ms. Karuna Kamble** is an employee of Mamoor Welfare Trust ® working as a **Duty Doctor** at Mamoor Health Centre from 1st June 2018.

We found Ms. Karuna Kamble to be knowledgeable and result-oriented with practical understanding as a duty doctor at Mamoor Health Center. Overall she is performing her duties and responsibilities at all times. We appreciate her work and contributions.



For Mamoor Welfare Trust®

IN THE SUPREME COURT OF INDIA**CIVIL ORIGINAL JURISDICTION****I.A.NO. _____ OF 2024****IN****TRANSFER PETITION (CIVIL) NO. _____ OF 2024****IN THE MATTER OF :-**

Karuna Bipin AtyalePetitioner

V/s

Bipin Prabhakar AtyaleRespondent

APPLICATION FOR STAY

The Hon'ble Chief Justice of India and
His Companion Judges of the Supreme Court of
India.

The humble application of the petitioner abovenamed;
MOST RESPECTFULLY SHOWETH:-

1. This transfer petition is being filed under Section 25 of the Code of Civil Procedure, 1908 for seeking transfer of divorce proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent

husband before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune titled as “Bipin Prabhakar Atayale vs. Mrs. Karuna Bipin Atyale” to the family court Bengaluru.

2 The Petitioner says the grounds urged in the Transfer Petition clearly show that the Petitioner has made out a *prima facie* case in her favour and has fair chances of success in the present Transfer Petition. It is necessary in the interests of justice that pending the hearing and final disposal of the present transfer petition, further proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune titled as “Bipin Prabhakar Atayale vs. Mrs. Karuna Bipin Atyale”, be stayed. In case the interim relief as prayed for is not granted in favor of the Petitioner, the Petitioner will be forced to travel long distances from Bangalore to Pune to attend proceedings and the Petitioner will suffer great hardship and grave irreparable loss which cannot be compensated in terms of money. Petitioner has

to travel to Pune from Bangalore alone. Petitioner cannot travel alone without leaving behind her son at Bangalore. It is important to note that son of the petitioner is studying at Bangalore and it is not possible for him to remain absent. It is also pertinent to note that the petitioner is working in a Mamoor Health Centre and running her clinic. She could not take leave frequently to attend the court proceedings. The respondent is staying in Pune and no prejudice will be caused to the Respondent in case of grant of interim relief in favor of the Petitioner. Perusal of the grounds set out in the Transfer Petition shows balance of convenience also lies in favor of the Petitioner.

PRAYER

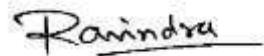
The Petitioner therefore prays:

- a). That pending the hearing and final disposal of the present Transfer Petition, further divorce proceedings being M.P. No. 1230 of 2023 u/s 13 (1) (ia) of Hindu Marriage Act, 1955 filed by the respondent husband before the Ld. 8TH Joint C.J.S.D. and Addl. C.J.M. Pune at Pune titled as

“Bipin Prabhakar Atayale vs. Mrs. Karuna Bipin Atayale”, be stayed.

- b). For such other and further reliefs as this Hon'ble Commission may deem fit.

Filed by:



(DR. RAVINDRA S. CHINGALE)
ADVOCATE FOR THE PETITIONER

NEW DELHI
FILED ON: 05.08.2024

IN THE SUPREME COURT OF INDIA
 (CIVIL ORIGINAL JURISDICTION)
TRANSFER PETITION (C) NO. OF 2024

IN THE MATTER OF :

Karuna Bipin AtyalePetitioner

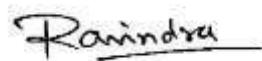
V/s

Bipin Prabhakar AtyaleRespondent

I N D E X

SL. NO	PARTICULARS	Copies	COURT FEES
1.	O/R	1+3	
2.	L/P		
3.	Synopsis and list of dates		
4.	TP With Affidavit		
5.	Annexure P-1 to P-4		
6.	Application for Stay		
7.	V/A		
	Total		

FILED BY



[Dr. Ravindra S. Chingale]

Advocate for the Petitioner

Registration No. 2659

Chamber no. 660 Patiala House Court New Delhi

e-mail:- aorchingale@gmail.com

Mob.: 8130507977

Filed on: 05.08.2024

VAKALATNAMA
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. OF 2024

IN THE MATTER

Mrs. Karuna Bipin Atyale	...PETITIONER/S
V/s	
Bipin Prabhakar AtyleRESPONDENT/S

I, the Petitioner in the above mentioned matter, do hereby appoint and retain **Dr. Ravindra S. Chingale**, Advocate Supreme Court of India, to act and appear for me /us in the above mentioned matter reference and on my/our behalf to conduct and prosecute(or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for review, to file and obtain, return of documents and to deposit and receive money on my/our behalf in the above mentioned matter Reference and in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate, in pursuance of this authority.

Dated this 30 day of July, 2024

Accepted and Identified and certified

Ravindra


(Karuna Bipin Atyale)
Petitioner

(Dr.Ravindra S. Chingale)
Advocate, Supreme Court of India

Ravindra

Identified by:
Dr. Ravindra Chingale
AOR 2659

MEMO OF APPEARANCE

To
The Registrar
Supreme Court of India
New Delhi
Sir,

Please enter my appearance on behalf of the Petitioner(s)/
Appellant(s)/ Respondent(s)/ Intervenor/ Caveator in the above mentioned
matter.

Yours faithfully,

Ravindra

(Dr. Ravindra S. Chingale)
Advocate for the Respondent
Code No. 2659, Chamber No.660, Patiala House Court New Delhi
Phone: 8130507977

Dated: 05.08.2024
05.08.2024