

Fatema vs Jafri Syed Husain (Parvez) on 3 December, 2008

Equivalent citations: AIR 2009 SUPREME COURT 1773, 2009 AIR SCW 1347, 2009 (1) ICC 12.1, (2009) 1 MARRILJ 158, (2009) 3 KCCR 86, 2009 (17) SCC 401, (2009) 74 ALLINDCAS 263.1 (SC), 2008 (15) SCALE 150.2, 2009 (1) MARR LJ 158, (2009) 2 ALL WC 1344, (2008) 2 HINDULR 636, (2009) 1 ICC 12(1), (2008) 15 SCALE 150(2), (2009) 74 ALL LR 694, (2009) 1 DMC 64, (2009) 1 CIVILCOURTC 160, (2009) 2 CIVLJ 267

Bench: G.S.Singhvi, Tarun Chatterjee

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 91 OF 2008

Fatema

...Petitioner

VERSUS

Jafri Syed Husain @Syed Parvez Jafferri

...Respondent

O R D E R

1. This is a petition for transfer of Petition No. A-55/2008 pending before the Family Court at Aurangabad (Jafri Sayed Hussain (Parvez) Vs. Fatima) to the Civil Court at Srinagar, in the State of Jammu & Kashmir.

2. Having heard the learned counsel for the parties and after going through the materials on record and considering the fact that the wife/petitioner is only 22 years of age and, therefore, it would be difficult for her to attend the Court proceedings at Aurangabad from Srinagar.

3. Accordingly, we allow this petition for transfer of the aforesaid case now pending before the Family Court at Aurangabad to the Civil Court at Srinagar, Jammu & Kashmir for final disposal. The learned Judge, Family Court at Aurangabad is directed to transmit the case records of the aforesaid case to the Family Court at Srinagar, Jammu & Kashmir within a period of two months from the date of supply of a copy of this order to him.

3. With the aforesaid directions, the application for transfer is thus allowed. There will be no order as to costs.

.....J.
[TARUN CHATTERJEE]

NEW DELHI
DECEMBER 03, 2008

.....J.
[G.S.SINGHVI]