

Tejalben vs Mihirbhai Bharatbhai Kothari on 11 January, 2016

Equivalent citations: AIR 2016 SUPREME COURT 718, 2016 (3) SCC 69, (2016) 2 RECCIVR 895, (2016) 1 ALL RENTCAS 856, (2016) 1 CURCC 51(1), (2016) 2 CURCC 209(1), (2016) 1 SCALE 491(1), (2016) 2 CLR 43 (SC), (2016) 4 CIVLJ 58, 2016 (3) KCCR SN 347 (SC)

Bench: Rohinton Fali Nariman, Kurian Joseph

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.163 OF 2016
(Arising out of SLP (C) No. 15810 of 2015)

TEJALBEN

...APPELLANT(S)

VERSUS

MIHIRBHAI BHARATBHAI KOTHARI

...RESPONDENT(S)

J U D G M E N T

KURIAN,J.:

Leave granted.

2. This appeal has been filed against the order dated 10.12.2014 passed by the High Court of Gujarat at Ahmedabad in Miscellaneous Civil Application (For Transfer) No.2596 of 2014 whereby the High Court dismissed the transfer application.

3. It is seen that suit for divorce is pending before the Principal Judge, Family Court, Rajkot. The appellant had moved before the High Court of Gujarat at Ahmedabad for transfer of proceedings pending at Rajkot to Jamnagar.

4. It is seen that further proceedings between the parties are pending at Jamnagar. Therefore, we find no reason why the divorce case be not transferred to Jamnagar.

5. The order dated 10.12.2014 is hence, set aside and the transfer of proceedings from Rajkot to Jamnagar, is allowed.

6. The appeal stands disposed of. No costs.

.....J. [KURIAN JOSEPH]J. [ROHINTON FALI NARIMAN] NEW DELHI;

JANUARY 11, 2016.