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CASE NO.: Transfer Petition (civil) 1015 of 2006

PETITIONER: SWAPNA MISHRA

RESPONDENT: SARAT CHANDRA MISHRA

DATE OF JUDGMENT: 08/02/2008

BENCH: H.K. SEMA & MARKANDEY KATJU

JUDGMENT:

JUDGMENT

O R D E R

TRANSFER PETITION(C) NO. 1015 OF 2006

This transfer petition is filed by the wife. Several adjournments were granted to enable the parties to come to a settlement. Counsel on both the sides appear today and state that amicable settlement out of the court has become impossible.

The ground taken for transfer in this petition is that Section 498A petition filed by the petitioning wife is pending in the Court of the Addl. Chief Judicial Magistrate, Bermo, Tenughat in Jharkhand. It is stated that in any event the respondent-husband has to go to Jharkhand and contest the petition filed under Section 498A. In our view, this is sufficient ground for transfer.

Accordingly, Matrimonial Suit No.165/2006 namely Sarat Chandra Mishra Vs. Smt Swapna Mishra @ Goswami pending in the Court of the Learned District Judge, Burdwan, West Bengal stands transferred to the Court of Principal Judge, Family Court, Bokaro, Jharkhand.

Transfer petition is allowed.