

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

Transfer Petition(s)(Civil) No(s). 2856/2022

SHIVANI GROVER

Petitioner(s)

VERSUS

GAUTAM

Respondent(s)

O R D E R

The petitioner is before this Court seeking transfer of Divorce Petition bearing DMC No. 173 of 2022, titled as "*Gautam V. Shivani Grover*" from the learned Court of the Principal Judge, Family Court of Panipat, Haryana to the learned Judge of Family Court, Rishikesh, Uttarakhand.

Heard the learned counsel for the parties and perused the petition papers.

In that light, taking into consideration the grounds taken in the transfer petition to seek transfer, we direct the transfer of Divorce Petition bearing DMC No. 173 of 2022, titled as "*Gautam V. Shivani Grover*" from the learned Court of the Principal Judge, Family Court of Panipat, Haryana to the learned Judge of Family Court, Rishikesh, Uttarakhand.

Digitally signed by
Nisha Khulbe
Date: 2022.01.27
16:17:29 IST

The records of the case be transferred to the Transferee Court forthwith.

Needless to mention that if the parties seek for referring the matters to Mediation to explore the possibility of settlement of their matrimonial disputes, the Transferee Court, before taking up the petitions for consideration on merits, shall take steps in that regard and refer the matters to mediation for an amicable settlement.

Further, in the facts of the present case, we grant liberty to the respondent to make an appropriate application before the transferee Court to permit the respondent to take part in proceedings through virtual mode. If such request is made, the transferee Court shall take note of the same and permit the respondent and insist on the personal presence only when it becomes absolutely necessary. In the process if examination of the witnesses from outstation becomes necessary, if such examination is sought through Commission, the Transferee Court shall consider the same.

Accordingly, the Transfer Petition is allowed.

Pending application(s), if any, shall stand disposed of.

.....J.
(A.S. BOPANNA)

.....J.
(HIMA KOHLI)

New Delhi
25th January, 2023

ITEM NO.4

COURT NO.12

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Civil) No(s). 2856/2022

SHIVANI GROVER

Petitioner(s)

VERSUS

GAUTAM

Respondent(s)

IA No. 179832/2022 - EXEMPTION FROM FILING O.T.

IA No. 179833/2022 - STAY APPLICATION)

Date : 25-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Raahul Trivedi, Adv.
Mr. Ashok Trivedi, Adv.
Mr. Riyaan Bholā, Adv.
Ms. Jasmine Khurana, Adv.
Mrs. Priti Jignesh Joshi, Adv.
Mr. Vaibhav Dixit, Adv.
Ms. Palak Gupta, Adv.
Ms. Priyanka Soni, Adv.
Mr. Prabodh Kumar, AOR

For Respondent(s) Mr. Randhir Kumar Ojha, AOR
Mr. Arvind Kumar Singh, Adv.
Ms. Kumari Rashmi Rani, Adv.
Ms. Rashi Jaiswal, Adv.

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.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR

(signed order is placed on the file)

