

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Transfer Application No. 15 of 2008

Smt. Rupa Devi W/o Sri Hayat Singh, D/o Shyam Singh,
R/o Village Kothbhandar, PO Rawatsera, Bageshwar,
presently residing at her Mayika Village- Karriya, P.O.
Devtvishral, District Bageshwar.Petitioner

Vs.

Hayat Singh S/o Sri Harsh Singh Rawat, R/o Village
Kothbhandar, P.O.Rawatsera, Bageshwar.
.....Respondent

Hon'ble B.S. Verma, J

Heard Sri B.S. Adhikari, learned counsel for the
petitioner and Sri M.K. Agarwal, learned counsel for the
respondent.

The present Civil Transfer application has been
filed by the petitioner with a prayer to transfer the Suit
No.131 of 2007, Hayat Singh Vs. Smt. Rupa Devi, filed
under Section 9 of Hindu Marriage Act, 1956 pending before
Judge Family Court, Nainital to Court of Judge Family
Court, Bageshwar.

The respondent had filed the Suit No.131 of
2007, Hayat Singh Vs. Smt. Rupa Devi, filed under section
9 of Hindu Marriage Act, 1956, before the Family Judge
Court, Nainital, which is still pending.

Accordingly to the petitioner, she is living at Village
Kothbhandar, P.O. Rawatsera, Bageshwar District

Bageshwar. Being a lady, it is very inconvenient for her to go to Nainital to contest the case.

The grounds shown in the application are sufficient to transfer the case from the Court of Family Judge, Nainital to Family Judge Court, Bageshwar.

The Civil Transfer application is allowed.

The Suit No. 131 of 2007, Hayat Singh Vs. Smt. Rupa Devi, pending in the court of Judge Family Court, Nainital is transferred to the Court of Judge Family Court, Bageshwar.

The Family Judge Court, Nainital is directed to remit the record of Suit No. 131 of 2007, Hayat Singh Vs. Smt. Rupa Devi, to Judge Family Court, Bageshwar and the Judge Family Court, Bageshwar is directed to conclude the proceedings of Suit No. 131 of 2007, Hayat Singh Vs. Smt. Rupa Devi, expeditiously as far as possible after hearing both the parties.

All applications stands disposed of accordingly.

(B.S. Verma, J)

Dated: - 30-6-2008

M.K.