

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO.2 OF 2010
IN
TRANSFER PETITION (CIVIL.) NO(s). 412 OF 2007

SARITA @ SAVITA

...Applicant/Petitioner

VERSUS

PANKAJ KUMAR

....Respondent

O R D E R

This is an application for modification of order dated 16.3.2009 passed in Transfer Petition No.412 of 2007.

Heard learned counsel for the applicant and perused the record. It appears that in the prayer clause of the transfer petition, the number of Original Suit filed by the husband was incorrectly typed as 1164 of 2006, whereas the correct number is 1169 of 2006 and in view of that mistake, number of the suit came to be mentioned in the order of the Court as O.S. No.1164/06.

In our view, the applicant should have, instead of seeking modification of the order passed by the Court, applied for correction of the prayer clause of the transfer petition.

Be that as it may, keeping in view the fact that the correct number of the Original Suit is 1169 of 2006, we accept the oral request made by the learned counsel for correcting the mistake, which has crept in the prayer clause

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of the transfer petition.

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As a sequel to the above, order dated 16.3.2009 is corrected and the number of original suit is recorded as O.S. No.1169 of 2006 instead of O.S. No.1164 of

