

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 992 OF 2008

HARPREET KAUR Petitioner(s)

VERSUS

SURINDER SINGH Respondent(s)

(With appln(s) for stay,permission to file additional documents
and office report)

WITH I.A. NO.2 (Appln. for permission to file addl.documents)

Date: 18/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. Parmanand Gaur,Adv.

For Respondent(s)

Mr. Sheetal Prasad Juneja,Adv.

UPON hearing counsel the Court made the following
O R D E R

T.P. is disposed of in terms of the signed order.

(Vishal Anand)
Sr.P.A.

(Mithlesh Gupta)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 992 OF 2008

Harpreet Kaur

...Petitioner(s)

Versus

Surinder Singh

...Respondent(s)

O R D E R

1. In this petition filed under Section 25 of the Code of Civil Procedure, the petitioner (wife) has prayed for transfer of petition for divorce petition filed by the respondent (husband) under Section 13(1)(i-a) of the Hindu Marriage Act, 1955, which is presently pending in the Court of Additional District Judge, Karkardooma Courts, Delhi mainly on the ground that she is a resident of Jalandhar and it will be extremely difficult for her to travel to Delhi for attending the court proceedings leaving two minor children at Jalandhar.

2. In the counter affidavit filed by him, the respondent has not denied petitioner's assertion that two children are living with her. He has, however, averred that the petitioner is residing at Rohini in Delhi. The petitioner has filed the rejoinder affidavit, stating therein that her brother is residing at Rohini and she is permanent resident of Jalandhar.

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3. We have heard learned counsel for the parties and perused the record. In our opinion, it will be in the interest of justice to transfer HMA No.655/2008 titled Shri Surinder Singh v. Smt. Harpreet Kaur pending in the Court of Additional District Judge, Karkardooma Courts, Delhi to the court of District Judge, Jalandhar within the State of Punjab, who may try the case himself or make over the same to any other court of competent jurisdiction for disposal in accordance with law. Ordered accordingly.

4. The Transfer Petition is disposed of in the manner indicated above.

.....J.
[G.S. Singhvi]

.....J.
[Asok Kumar Ganguly]

New Delhi
December 18, 2009