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ITEM NO.39

COURT NO.8

SECTION XVIA

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). 879 OF 2007

TARINDER KAUR

Petitioner(s)

VERSUS

SUKHMINDER JEET SINGH

Respondent(s)

(With appln(s) for stay and office report)

WITH T.P.(CRL) NO. 159 of 2009

[SUKHMINDERJIT SINGH & ORS. V. TARINDER KAUR & ANR.]

(With office report)

Date: 05/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s)

Mr. B.S. Jain, Adv.

In TP 879

Mr. Uday ram, Adv.

Mr. Mushtaq Irshad Hanif, Adv.

Mr. Narender Singh Yadav, Adv.

Mr. Mushtaq Ahmad, Adv.

In TP 159

Dr. (Mrs.) Vipin Gupta, Adv.

Mr. Anurag Singh, Adv.

Mr. Narender Yadav, Adv

For Respondent(s)

Dr. (Mrs.) Vipin Gupta, Adv.

In TP 879

Mr. Anurag Singh, Adv.

Mr. Narender Yadav, Adv.

In TP 159

Mr. R.P. Goyal, Adv.

Mr. Ajay Bansal, AAG.

Mr. Devender singh, Adv.

Mr. Anurag Sharma, Adv.

Mr. Kuldip Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

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The transfer petitions are disposed of in terms of the signed order.

(KALYANI GUPTA)

SR. P.A.

(VINOD KULVI)

COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE.]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 879 OF 2007

TARINDER KAUR . . . . . PETITIONER

VERSUS

SUKHMINDERJIT SINGH & ORS. . . . . RESPONDENTS

WITH

TRANSFER PETITION (CRL.) NO. 159 OF 2009

SUKHMINDERJIT SINGH & ORS. . . . . PETITIONERS

VERSUS

TARINDER KAUR & ANR. . . . . RESPONDENTS

O R D E R  
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Two transfer petitions are before us, one of which is interse husband and wife preferred under Article 139A(2) of the Constitution of India read with Section 25 of the Code of Civil Procedure seeking transfer of Marriage Petition No. 156 of 2007 titled Sukhminder Jeet Singh v. Smt. Tarinder Kaur pending before the Court of Civil Judge, Senior Division, Pune at Pune to the Court of District Judge, Hoshiarpur, Punjab and the other transfer petition has been filed by Sukhminder Jeet Singh and others seeking transfer of Crime Case No. 63 titled State v. Sukhminder Jeet Singh & Ors. which has been preferred by the State under Section 498A, 406, 313 and 120B IPC pending in the Court of Additional District & Sessions Judge, Hoshiarpur, Punjab to Pune, Maharashtra.

After hearing the learned counsel for the parties, we direct that the Marriage Petition No. 156 of 2007 titled Sukhminder Jeet Singh v. Smt. Tarinder Kaur pending before the Court of Civil Judge, Senior

Division, Pune at Pune and Crime Case No. 63 titled  
State v. Sukhminder Jeet Singh & Ors. pending in the  
Court of Additional District & Sessions Judge,  
Hoshiarpur, Punjab be transferred to a competent court  
in Delhi. The parties shall appear before the District  
Judge, Delhi on 10th May, 2010 who shall either try the  
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cases himself or transfer both the matters to be heard  
together if legally permissible to a court of competent  
jurisdiction.

We also direct that the respondent Sukhminder  
Jeet Singh- husband shall pay a sum of Rs. 25,000/- to  
the wife-Tarinder Kaur before the next date of hearing  
as maintenance. In case of failure to do so his  
application under Section 9 of the Hindu Marriage Act  
will be deemed to be dismissed.

The petitions are disposed of accordingly.

.....J  
[HARJIT SINGH BEDI]

.....J  
[J.M. PANCHAL]

NEW DELHI  
APRIL 05, 2010.