

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C) NO.1221 OF 2008

Sujata ...Petitioner

Versus

Sohan Lal ...Respondent

ORDER

1. In this petition, the petitioner has prayed for transfer of the petition filed by the respondent under Section 11 of the Hindu Marriage Act, 1955 from the Court of Additional District Judge, Hoshiarpur (Punjab) to the Court of District Judge, Thane (Maharashtra).

2. The petitioner has pleaded that due to her poor financial condition, she will find it extremely difficult to travel a distance of 1800 to 2000 kms. for attending the proceedings of the case instituted by the respondent. She has also expressed an apprehension of bodily harm at Hoshiarpur at the hands of the respondent and his relatives.

3. Notice of the transfer petition has been duly served upon the respondent but he has not appeared either in person or through an advocate nor he has filed

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counter affidavit to oppose the prayer made by the petitioner. Therefore, we do not have any reason to doubt the correctness of the ground set out by the petitioner for seeking transfer of the case instituted by the respondent from Hoshiarpur to Thane.

4. In the result, the transfer petition is allowed and HMA No.50 of 2008 titled Sohan Lal v. Sujata pending in the Court of Additional District Judge, Hoshiarpur within the State of Punjab is transferred to the Court of District Judge, Thane within the State of Maharashtra who may try the case himself or make over the same to any other court of competent jurisdiction.

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

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

New Delhi
February 05, 2010

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ITEM NO.36

COURT NO.11

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). 1221 OF 2008

SUJATA Petitioner(s)

VERSUS

SOHAN LAL Respondent(s)

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

Date: 05/02/2010 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. Arun Aggarwal, Adv.
Mr. Pallav Saxena, Adv.
Mr. Kanwaljit Singh, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R
The Transfer Petition is allowed in terms
of signed order.

(A.D. Sharma) (Phoolan Wati Arora)
Court Master Court Master
(Signed Order is placed on the file)