

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

JUDGMENT

O R D E R

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 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.

