

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.5621 OF 2008
(Arising out of S.L.P. (C) No.8372 of 2006)

Harmit Kaur

...Appellant(s)

Versus

Jarnail Singh

...Respondent(s)

O R D E R

Leave granted.

We have perused the records.

By the impugned order, High Court rejected the prayer for transfer of petition under Section 13 of the Hindu Marriage Act, 1955. In our view, the court was not justified in refusing the prayer. In the facts and circumstances of the case, Case No.35 of 2005, titled as Jarnail Singh vs. Harmit Kaur, pending in the court of District Judge, Ropar, is transfer to the District Judge, Ludhiana, who shall either try the case himself or make over the same for trial to any other court of competent jurisdiction.

The civil appeal is, accordingly, allowed.

[B.N. AGRAWAL]

.....J.

[G.S. SINGHVI]

.....J.

**New Delhi,
September 11, 2008.**