

SUPREME COURT OF INDIA

Harmit Kaur

Vs.

Jarnail Singh

C.A.No.5621 of 2008

(B.N. Agrawal and G.S. Singhvi JJ.)

11.09.2008

ORDER

1. Leave granted.
2. We have perused the records.
3. 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.
4. The civil appeal is, accordingly, allowed.