

SUPREME COURT OF INDIA

Sapna Agarwal

Vs.

Om Prakash Jalan

Transfer Petition (C) No. 123 of 2008

(Tarun Chatterjee and G.S.Singhvi JJ.)

03.12.2008

ORDER

1. This is an application for transfer of Civil Proceeding No. 549 of 2006, filed under Section 27(a), (b) and (d) of the Special Marriage Act, 1954 read with Section 13(1)(i) (ia) and (ib) of the Hindu Marriage Act, 1955, now pending before the learned Judge, Family Court at Cuttack, Orissa to the Family Court at Jaipur, Rajasthan.

2. Having heard the learned counsel for the parties and after going through the materials on record and after considering the age of the wife/petitioner, we are of the view that the aforesaid Case being Civil Proceeding No. 549 pending before the learned Judge, Family Court at Cuttack, Orissa be transferred to the Family Court at Jaipur in the State of Rajasthan. Accordingly, we allow this application for transfer and direct transfer of the aforesaid case to the Family Court at Jaipur, Rajasthan. The learned Judge, Family Court at Cuttack is directed to transmit the case records of the aforesaid case to the Family Court at Jaipur, Rajasthan within a period of two months from the date of supply of a copy of this order to him.

3. With the aforesaid directions, the application for transfer is thus disposed of. There will be no order as to costs.