IN THE HON’BLE SUPREME COURT OF INDIA

ORIGINAL CIVIL JURISDICTION

TRANSFER PETITION (C) No. \_\_\_\_\_ of 2013

IN THE MATTER OF :

Pinky Jain …Petitioner/Wife

Versus

Sunil Jain …Respondent/Husband

WITH

I.A. No. \_\_\_ of 2013 Application for exparte stay.

# **PAPER BOOK**

FOR INDEX: Kindly see inside.

Filed On : Filed by:

New Delhi

(Subhasish Bhowmick), Advocate Counsel for the petitioner

IN THE SUPREME COURT OF INDIA

(ORIGINAL CIVIL JURISDICTION )

TRANSFER PETITION NO (C) No. \_\_\_\_\_\_OF 2013

IN THE MATER OF;-

Pinky Jain D/o Yashpal Jain W/o Sunil Jain R/o H. No. 547, Gopal Nagar, Near Dana Mandi Jalandhar, Punjab.

……Petitioner/Wife

VERSUS

Sunil Jain S/o Nem Charan Jain R/o Ward No. 6, Nalagarh, Himachal Pradesh.

… Respondent/Husband

TRANSFER PETITION (C) U/S 25 OF CPC FOR THE TRANSFER OF H.M. MISC. PETITION NO. 11NL OF 2012 TITLED “SUNIL JAIN VS. PINKY JAIN” PENDING BEFORE ADDL. DISTRICT & SESSIONS JUDGE SOLAN CAMP AT NALAGARH, HIMACHAL PRADESH TO THE COMPETENT COURT OF JALANDHAR, PUNJAB.

TO

THE HON’BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANIONS JUSTICES OF THE

HON’BLE SUPREME COURT OF INDIA

The petition of the petitioner above named.

### MOST RESPECTFULLY SHOWETH

1. That the petitioner/wife is filing the present Transfer Petition (C) U/s 25 of CPC for the transfer of H.M. Misc. Petition No. 11NL of 2012 titled “Sunil Jain Vs. Pinky Jain” pending before Addl. District & Sessions Judge Solan Camp at Nalagarh, Himachal Pradesh to the competent Court of Jalandhar, Punjab. It is pertinent to mention here that the next date of hearing before Family Court at Nalagarh Himachal Pradesh is 6.3.2013 for appearance of the petitioner.

2. That no such or similar Transfer Petition (C) has earlier been filed by the petitioner in this Hon’ble Court for the transfer of H.M. Misc. Petition No. 11NL Of 2012 titled “Sunil Jain Vs. Pinky Jain” pending before Addl. District & Sessions Judge Solan Camp at Nalagarh, Himachal Pradesh to the competent Court of Jalandhar, Punjab.

3. That the facts of the case are that the marriage between petitioner and the respondent was solemnized on 20.4.2008 at King Palace Sundernagar Ludhiana according to Hindu religious rites and ceremonies and the said marriage still subsist in between the parties.

4. That after the solemnization of the marriage, the petitioner and the respondent lived cohabited together as husband and wife at house situated in Ward No. 6, Nalagarh (H.P.) and out of this wedlock one female child namely Pragun was born to the parties on 23.8.2009 and the said minor child at present is living under the care and custody of petitioner.

5. That the marriage of the petitioner and the respondent was solemnized in one of the reputed marriage palace of Ludhiana and it was a night marriage in which the Barat consisted of more than 250 baratis/guests with a total gathering of more than 500 guests attended the marriage.

6. That the parents of the petitioner incurred heavy expenses on the marriage of the petitioner with the respondent and gave all type of dowry articles with high hope to see her settled happily in her matrimonial home. Gold ornaments weighing more than 20 tollas were given which included 1 Gold set, 4 karas, 4 bangles, two sets earrings, two rings, two rings to respondent, one ring to father-in-law, one kitty set one ring to mother in law. Besides this, other dowry articles consisting of colour television, Washing Machine, Double Bed, Almirah, Dressing Table, Mattresses, Clothes, kitchenware, beddings, DVD player, Setti etc were given by the parents of the petitioner and the respondent and his parents were entrusted with the said dowry articles on their demand. One motor cycle make Hero Honda CD Deluxe was also given to the respondent by the parents of the petitioner on the demand of the respondent and his parents. Inspite of the fact that more than 10 lacs were spent by the parents of the petitioner on the marriage, respondent and his parents started taunting the petitioner by saying that the quality and quantity of the dowry articles is not as per their expectations and as such they all would always tease and torture the petitioner repeatedly on this issue.

7. That barely four days after the marriage, the respondent and his family members started showing their ugly colours and started harassing, humiliating, beating the petitioner black and blue for no fault on her part. The respondent took the gold ornaments of the petitioner and kept it with her mother. The respondent and his family members started compelling the petitioner to bring cash and kind from her parents but when the petitioner refused to press her parents for cash as the parents of the petitioner had already spent huge amount on her marriage, she was subjected to inhuman behavior at the hands of the respondent and his family members. The petitioner kept on tolerating all this inhuman behavior of the respondent and his family members in a hope that the better sense will prevail over the respondent and his family members but all in vain.

8. That the petitioner was never showered love and affection, which a devout married woman longs for. The respondent would beat the petitioner without any fault of hers. She was kept starved for day and would always ask her to bring money from her parents. The father of the petitioner was to retire from the post of SDO from BSNL on 30.6.2008. The respondent and his family members came to know about this fact that the father of the petitioner would be getting lacs of rupees on retirement then the respondent raised a demand of Rs. 50,000/- and asked the petitioner to bring from her parents. On her refusal, the petitioner were given several beatings and threatened that if his demand is not met then the petitioner would be turned out of the matrimonial home. The said fact was brought to the knowledge of the parents of the petitioner by the petitioner and the father of the petitioner then called the petitioner and respondent to Jalandhar and gave a sum of R.s 25000/- to the respondent and promised to pay the balance amount of Rs. 25000- in short time. The parent of the petitioner then visited the matrimonial home of the petitioner after retirement and handed over another sum of Rs. 25000/- to the respondent and his parents. The parents of the petitioner then requested the respondent and his parents not to harass the petitioner now to which the respondent and his parents agreed not to harass and humiliate the petitioner in future. The parents of the petitioner even gave shagun to the respondent and his parents and came back.

9. That the behavior of the respondent and his family members remained peaceful for about a week and then they again resorted to their illegal and unbecoming behavior and again started harassing the petitioner. Now the petitioner would be tortured and she was kept as slaves. The petitioner would be kept starved for days. She would not be allowed to make a telephone call to her parents. She was not allowed to go out of the matrimonial home. All the household work was forced on her and in case the petitioner would take some rest then the mother-in-law of the petitioner would start taunting her. The petitioner kept on tolerating all this with the hope that with the passage of time every thing will be alright but the said day did not see the light of the day. The respondent and his parents would always say that the respondent and been married to the house of the beggars.

10. That in the meantime the petitioner become pregnant. The petitioner thought that this pregnancy of her would change the behavior of the respondent and his parents but the petitioner surprised to see the behavior of the respondent and his family members became more rude. During the pregnancy, the petitioner was not given proper care and treatment. The atrocities of the respondent and his family members increased day by day. Even the sister-in-law of the petitioner namely Anju Jain who is married at Patiala started taunting the petitioner on one pretext or the other. On 4.8.2009, the petitioner was mercilessly beaten by the respondent on the instigation of his parents. The matter was brought to the knowledge of the parents of the petitioner. The parents of the petitioner convened the panchayat consisting of Yash Pal Jain, mother Kanchan Bala Jain, Veena Jain (sister in law of the father of the petitioner), Mohinder Pal Jain (brother-in-law of the father of the petitioner) and one Councilor and they went to the house of the respondent. The respondent and his parents were asked as to why they are harassing, beatings and humiliating the petitioner. The respondent and his parents then felt sorry for their misdeeds and assured the parents and other panchayat members that in future nothing of the sort shall happen. The petitioner asked the respondent and his parents to let her go with her parents for delivery at her parental home as it was a custom that the First child is born at the parental home but the respondent flatly refused to do so and ultimately, the petitioner gave birth to female child on 23.8.2009 at Civil Hospital Nalagarh.

11. That the parents of the petitioner came to Nalagarh and put a gold chain to newly born daughter, a gold chain for the respondent, cash shaguns for the parents of the respondent, her daughters and sons-in-laws, besides 11 kg sweets and customary mitha was also given. 11 Sets of new cloths for the newly born child, clothes for the respondent, his parents, sisters and brothers-in-law were also given. The petitioner took a relief of sigh that now everything will be alright and the tiny soul will change the behavior and attitude of the respondent and his parents but this wish remained the mere wish of the petitioner. The attitude of the respondent and his family members became more worst and they started saying and taunting that the petitioner has given birth to female child whereas they were in need of boy. The respondent started compelling the petitioner to bring the expenses of herself and her minor daughter from her parents.

12. That the petitioner kept on tolerating all the ill behavior of the respondent and his family members with a high hope that one day everything will be alright but that day did not see the light of the day. To harass the respondent, petitioner started coming late in the night. The mother-in-law of the petitioner in order to harass the petitioner would start calling the petitioner to wake up at 5 A.M. in the morning and would command her to do the household works. The petitioner would be subjected to physical and mental torture and even he minor daughter would not be given proper diet.

13. That the respondent and his parents on the instigation of the sister-in-law Anju Jain raise a demand of Rs. 1 lac and asked the petitioner to bring the said amount from her parents. On the refusal of the petitioner, the petitioner was given merciless beatings and ultimately, the petitioner and her minor daughter were turned out of the matrimonial home in mere three clothes on 15.7.2010. The petitioner made a telephone call to her parents at Jalandhar who took the petitioner and her minor child to Jalandhar and since then the petitioner is residing at Jalandhar with her parents.. At that time the respondent and his family members did not allow her to remove any of her dowry articles though she had requested the respondent and his family members to let her take along at least the articles of her daily use, but the respondent and his family members did not pay any heed to the genuine and bonafide request of the petitioner. Even during the stay of the petitioner at her matrimonial home, she was not to use any of the articles given to her by her parents.

14. That the respondent has willfully neglected the petitioner and her minor daughter. The petitioner is still willing and ready to rehabilitate with the respondent. The respondent has willfully deserted the company of petitioner. Until now petitioner is living at her parental house at Jalandhar and the respondent has withdrawn from the society of the petitioner without sufficient and reasonable cause and not even paid a single penny to the petitioner or her minor daughter. Resultantly, petitioner has filed petition U/s 9 of Hindu Marriage Act before the Trial Court at Jalandhar for the decree of restitution of conjugal rights which is pending for 14.2.2013. The petitioner has also made a complaint U/s 406/498A IPC to the police against the respondent and his family members and FIR No. 42 dated 13.7.2012 is registered against the petitioner u/s 406/498-A IPC which is pending before the Trial Court, at Jalandhar. The petitioner has also filed an application U/s 125 Cr. P.C. for maintenance before Judicial Magistrate Ist Class Jalandhar which is also pending for 18.2.2013.

16. That as a counter blast to all the above noted proceedings filed by the petitioner, the respondent has now filed a petition U/s 13 of Hindu Marriage Act on totally false and frivolous grounds before Addl. District and Sessions Judge Solan at Nalagarh which is pending and the next date of hearing is 6.3.2013. The copy of petition dated 5.11.2010 filed by the respondent is attached as **Annexure P-1.**

18. GROUNDS:

That the grounds of the transfer petition (C) are as under:-

a) That the distance between Jalandhar, Punjab and Solan, Himachal Pradesh is near about 250 kms. and the bus takes one side near about 8 hours from Jalandhar to Solan and moreover, the petitioner’s minor daughter who is 3-1/2 years old is studying in Nursery class in Shiv Jyoti School at Jalandhar, Punjab and it is very difficult for the wife/ petitioner to visit in Solan on each and every date of hearing.

b) That in “Neelam Kanwar Vs. Devinder Singh Kanwar” 2000 (4) AIJ (Supreme Court) page 129 and in “Sumita Singh Vs. Kumar Sanjay an Anr.” AIR 2002, Supreme Court page 396, this Hon’ble Court has observed that the petitioner is lady and the convenience of the wife has got to be taken into consideration by the Court while deciding such like transfer petition.

c) That if this Hon’ble Court transfer the petition filed by the respondent from Solan to Jalandhar, Punjab, then the respondent can attend the three other litigations i.e. a pending petition U/s 9 of Hindu Marriage Act filed by the petitioner in District Courts Jalandhar, an Application U/s 125 Cr. P.C. is pending before Trial Court and a FIR No. 42 dated 13.7.2012 U/s 406/498A IPC pending before Trial Court.

d) That the petitioner is a house wife and she has got no moveable and immoveable property and the respondent is hale and hearty body and have got sufficient source of income.

e) That the petitioner has got no source of Income for her livelihood neither has got any movable and immovable property in her name. The petitioner is not serving anywhere and she is living her days of adversity as the mercy of her parents and she is not able to maintain herself and her minor child and is living with her parents. Relevant to mention here that father of the petitioner is a retired Govt. employee and is a patient of sugar and blood pressure.

f) That the respondent is running a showroom of Readymade Garments at Main Bazar Nalagarh, Himachal Pradesh and is earning handsomely and is earning not less that Rs. 50,000/- per month. The respondent is under bounden duty and responsibility to maintain the petitioner and her daughter, the petitioner being her legally wedded wife and the child being his daughter. The respondent has no other responsibility or liability except to maintain the petitioner. Inspite of court order on the application u/s 24 of Hindu Marriage Act filed by the petitioner, respondent is not regularly paying maintenance to the petitioner.

19. **P R A Y E R**

It is therefore most humbly and respectfully prayed that this Hon’ble Court may graciously be pleased :-

Transfer of H.M. Misc. Petition No. 11NL Of 2012 titled “Sunil Jain Vs. Pinky Jain” pending before Addl. District & Sessions Judge Solan Camp at Nalagarh, Himachal Pradesh to the competent Court of Jalandhar, Punjab.

AND Pass such other order or orders or directions as this Hon'ble Court may deem fit and proper in the circumstances of the case AND for this act of kindness the petitioner as in duty bound shall every pray.

Filed On : Filed by:

New Delhi

Drawn & Drafted on:

Drawn & Drafted by:

Munish Bhardwaj, (Subhasish Bhowmick), Advocate

Advocate Counsel for the petitioner

##### LIST OF DATES AND EVENTS

That the facts of the case are that the marriage between petitioner and the respondent was solemnized on 20.4.2008 at King Palace Sundernagar Ludhiana according to Hindu religious rites and ceremonies and the said marriage still subsist in between the parties.

That after the solemnization of the marriage, the petitioner and the respondent lived cohabited together as husband and wife at house situated in Ward No. 6, Nalagarh (H.P.) and out of this wedlock one female child namely Pragun was born to the parties on 23.8.2009 and the said minor child at present is living under the care and custody of petitioner.

That the marriage of the petitioner and the respondent was solemnized in one of the reputed marriage palace of Ludhiana and it was a night marriage in which the Barat consisted of more than 250 baratis/guests with a total gathering of more than 500 guests attended the marriage.

That the parents of the petitioner incurred heavy expenses on the marriage of the petitioner with the respondent and gave all type of dowry articles with high hope to see her settled happily in her matrimonial home. Gold ornaments weighing more than 20 tollas were given which included 1 Gold set, 4 karas, 4 bangles, two sets earrings, two rings, two rings to respondent, one ring to father-in-law, one kitty set one ring to mother in law. Besides this, other dowry articles consisting of colour television, Washing Machine, Double Bed, Almirah, Dressing Table, Mattresses, Clothes, kitchenware, beddings, DVD player, Setti etc were given by the parents of the petitioner and the respondent and his parents were entrusted with the said dowry articles on their demand. One motor cycle make Hero Honda CD Deluxe was also given to the respondent by the parents of the petitioner on the demand of the respondent and his parents. Inspite of the fact that more than 10 lacs were spent by the petitioner on the marriage, respondent and his parents started taunting the petitioner that the quality and quantity of the dowry articles is not as per their expectations and as such they all would always tease and torture the petitioner repeatedly on this issue.

That barely four days after the marriage, the respondent and his family members started showing their ugly colours and started harassing, humiliating, beating the petitioner black and blue for no fault on her part. The respondent took the gold ornaments of the petitioner and kept it with her mother. The respondent and his family members started compelling the petitioner to bring cash and kind from her parents but when the petitioner refused to press her parents for cash as the parents of the petitioner had already spent huge amount on her marriage, she was subjected to inhuman behavior at the hands of the respondent and his family parents. The petitioner kept on tolerating all this inhuman behavior of the respondent and his family members in a hope that the better sense will prevail over the respondent and his family members but all in vain.

That the petitioner was never showered love and affection, which a devout married woman longs for. The respondent would beat the petitioner without any fault of hers. She was kept starved for day and would always ask her to bring money from her parents. The father of the petitioner was to retire from the post of SDO from BSNL on 30.6.2008. The respondent and his family members came to know about this fact that the father of the petitioner would be getting lacs of rupees on retirement then the respondent raised a demand of Rs. 50,000/- and asked the petitioner to bring from her parents. On her refusal the petitioner were given several beatings and threatened that if his demand is not met then the petitioner would be turned out of the matrimonial home. The said fact was brought to the knowledge of the parents of the petitioner by the petitioner and the father of the petitioner then called the petitioner and respondent to Jalandhar and gave a sum of R.s 25000/- to the respondent and promised to pay the balance amount of Rs. 25000- in short time. The parent of the petitioner then visited the matrimonial home of the petitioner after retirement and handed over another sum of Rs. 25000/- to the respondent and his parents. The parents of the petitioner then requested the respondent and his parents not to harass the petitioner now, to which the respondent and his parents agreed not to harass and humiliate the petitioner in future. The parents of the petitioner even gave shagun to the respondent and his parents and came back.

That the behavior of the respondent and his family members remained peaceful for about a week and then they again resorted to their illegal and unbecoming behavior and again started harassing the petitioner. Now the petitioner would be tortured and she was kept as slaves. The petitioner would be kept starved for days. She would not be allowed to make a telephone call to her parents. She was not allowed to go out of the matrimonial home. All the household work was forced on her and in the petitioner would take some reset then the mother-in-law of the petitioner would start taunting her. The petitioner kept on tolerating all this that with the passage of time every thing will be alright but the said day did not see the light of the day. The respondent and his parents would always say that the respondent had been married to the house of the beggars.

That in the meantime, the petitioner become pregnant. The petitioner thought that this pregnancy of her would change the behavior of the respondent and his parents but the petitioner surprised to see the behavior of the respondent and his family members became more rude. During the pregnancy, the petitioner was not given proper care and treatment. The atrocities of the respondent and his family members increased day by day. Even the sister-in-law of the petitioner namely Anju Jain who is married at Patiala started taunting the petitioner on one pretext or the other. On 4.8.2009, the petitioner was mercilessly beaten by the respondent on the instigation of his parents. The matter was brought to the knowledge of the parents of the petitioner. The parents of the petitioner convened the panchayat consisting of Yash Pal Jain, mother Kanchan Bala Jain, Veena Jain (sister in law of the father of the petitioner), Mohinder Pal Jain (brother-in-law of the father of the petitioner) and one Councilor and they went to the house of the respondent. The respondent and his parents were asked as to why they are harassing, beatings and humiliating the petitioner. The respondent and his parents then felt sorry for their misdeeds and assured the parents and other panchayat members that in future nothing of the sort shall happen. The petitioner asked the respondent and his parents to let her go with her parents for delivery at her parental home as it was a custom that the First child is born at the parental home but the respondent flatly refused to do so and ultimately, the petitioner gave birth to female child on 23.8.2009 at Civil Hospital Nalagarh.

That the parents of the petitioner came to Nalagarh and put a gold chain to newly born daughter, a gold chain for the respondent, cash shaguns for the parents of the respondent, her daughters and sons-in-laws, besides 11 kg sweets and customary mitha was also given. 11 Sets of new cloths for the newly born child, clothes for the respondent, his parents, sisters and brothers-in-law was also given. The petitioner took a relief of sigh that now everything will be alright and the tiny soul will change the behavior and attitude of the respondent and his parents but this wish remained the mere wish of the petitioner. The attitude of the respondent and his family members became more worst and they started saying and taunting that the petitioner has given birth to female child whereas they were in need of boy. The respondent started compelling the petitioner to bring the expenses of herself and her minor daughter from her parents.

That the petitioner kept on tolerating all the ill behavior of the respondent and his family members with a high hope that one day everything will be alright but that day did not see the light of the day. To harass the respondent, respondent started coming late in the night. The mother-in-law of the petitioner in order to harass the petitioner would start calling the petitioner to wake up at 5 A.M. in the morning and would command her to do the household works. The petitioner would be subjected to physical and mental torture and even he minor daughter would not be given proper diet.

That the respondent and his parents on the instigation of the sister-in-law Anju Jain raise a demand of Rs. 1 lac and asked the petitioner to bring the said amount from her parents. On the refusal of the petitioner, she was given merciless beatings and ultimately, the petitioner and her minor daughter were turned out of the matrimonial home in mere three clothes on 15.7.2010. The petitioner made a telephone call to her parents at Jalandhar who took the petitioner and her minor child to Jalandhar and since then the petitioner is residing at Jalandhar with her parents. At that time the respondent and his family members did not allow her to remove any of her dowry articles though she had requested the respondent and his family members to let her take along at least the articles of her daily use, but the respondent and his family members did not pay any heed to the genuine and bonafide request of the petitioner. Even during the stay of the petitioner at her matrimonial home, she was not allowed to use any of the articles given to her by her parents.

That the respondent has willfully neglected the petitioner and her minor daughter. The petitioner is still willing and ready to rehabilitate with the respondent. The respondent has willfully deserted the company of petitioner.

That until now respondent is living at her parental house at Jalandhar and the respondent has withdrawn from the society of the petitioner without sufficient and reasonable cause and not even paid a single penny to the petitioner or her minor daughter. Resultantly, petitioner has filed petition U/s 9 of Hindu Marriage Act before the Trial Court at Jalandhar for the decree of restitution of conjugal rights which is pending for 14.2.2013. The petitioner has also made a complaint U/s 406/498A IPC to the police against the respondent and his family members and FIR No. 42 dated 13.7.2012 is registered against the petitioner u/s 406/498-A IPC which is pending before the Trial Court, at Jalandhar. The petitioner has also filed an application U/s 125 Cr. P.C. for maintenance before Judicial Magistrate Ist Class Jalandhar which is also pending for 18.2.2013.

5.11.2010 That as a counterblast, the respondent has filed a petition U/s 13 of Hindu Marriage Act before Addl. District and Sessions Judge Solan at Nalagarh on totally baseless and frivolous allegations which is pending and the next date of hearing is 6.3.2013.

Hence, this Transfer Petition (C).

IN THE HON’BLE SUPREME COURT OF INDIA.

(ORIGINAL CIVIL JURISDICTION )

I.A. NO \_\_\_\_\_\_\_OF 2013

IN TRANSFER PETITION NO\_\_\_\_\_\_\_\_OF 2013

In The Matters of

Pinky Jain …Petitioner/Wife

Versus

Sunil Jain …Respondent/Husband

Application for Ex-parte Stay

To

The Hon’ble Chief Justice of India and His Companions

Justices of the Hon’ble Supreme Court of India .

**Respectfully Showeth**

1. That the Petitioner has filed the accompanying Transfer Petition (c) in this Hon’ble Court for the transfer of H.M. Misc. Petition No. 11NL Of 2012 titled “Sunil Jain Vs. Pinky Jain” pending before Addl. District & Sessions Judge Solan Camp at Nalagarh, Himachal Pradesh to the competent Court of Jalandhar, Punjab.

2. That the distance between Jalandhar, Punjab and Solan, Himachal Pradesh is near about 250 kms. and the bus takes one side near about 8 hours from Jalandhar to Solan and moreover, the petitioner’s minor daughter is studying in Nursery class in Shiv Jyoti School at Jalandhar, Punjab and it is very difficult for the wife/ petitioner to visit in Solan on each and every date of hearing.

3. That in “Neelam Kanwar Vs. Devinder Singh Kanwar” 2000 (4) AIJ (Supreme Court) page 129 and in “Sumita Singh Vs. Kumar Sanjay an Anr.” AIR 2002, Supreme Court page 396, this Hon’ble Court has observed that the petitioner is lady and the convenience of the wife has got to be taken into consideration by the Court while deciding such like transfer petition.

PRAYER

It is, therefore, respectfully prayed that the proceedings pending before the Addl. District & Sessions Judge Solan at Nalagarh Himachal Pradesh in H.M. Misc. Petition No. 11NL of 2012 titled “Sunil Jain Vs. Pinky Jain” may kindly be ex-parte stayed.

AND Pass such other order or orders or directions as this Hon'ble Court may deem fit and proper in the circumstances of the case AND for this act of kindness the petitioner as in duty bound shall every pray.

Filed On : Filed by:

New Delhi

(Subhasish Bhowmick), Advocate

for the Petitioner

**I N D E X**

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| 1A. | List of Dates & Events. | B- |
| 2. | Transfer Petition (C) with affidavit |  |
| 3. | **Annexure P-1**  Copy of petition dated 5.11.2010 filed by the respondent |  |
| 4. | I.A. No. \_\_\_\_\_\_ of 2013  Application for Exparte Stay |  |

IN THE HON’BLE SUPREME COURT OF INDIA

ORIGINAL CIVIL JURISDICTION

TRANSFER PETITION (C) No. \_\_\_\_\_ of 2013

IN THE MATTER OF:

Pinky Jain …Petitioner/Wife

Versus

Sunil Jain …Respondent/Husband

**AFFIDAVIT**

I, Pinky Jain D/o Yashpal Jain W/o Sunil Jain R/o H. No. 547, Gopal Nagar, Near Dana Mandi Jalandhar, Punjab now at Delhi do hereby solemnly affirm and declare as under:-

1. That I am petitioner in this case and fully conversant with the facts of the case. I am competent to swear this affidavit.

2. That I have read and understood the contents of Transfer Petition, List of Dates & IA. The contents of Transfer Petition, List of Dates & IA are true and correct to the best of my knowledge and belief.

3. That no such or similar Transfer Petition (C) has earlier been filed by the petitioner in this Hon’ble Court for the transfer of H.M. Misc. Petition No. 11NL Of 2012 titled “Sunil Jain Vs. Pinky Jain” pending before Addl. District & Sessions Judge Solan Camp at Nalagarh, Himachal Pradesh to the competent Court of Jalandhar, Punjab.

4. That the pages of list of dates are A to , pages of Transfer Petition 1 to and paras of Transfer Petition are 1 to

5. That the annexure is true to its original.

Deponent

-2-

**Verification**

That I verify that the abovesaid contents of paras No. 1 to 5 of the affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Place:

Dated: Deponent