

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4489 OF 2017
(Arising out of S.L.P. (C) No.30200 of 2015)

PAWAN KUMAR

Appellant(s)

Versus

SHARMILA

Respondent(s)

O R D E R

This matter is called out twice, but none appears on behalf of the respondent.

Leave granted.

We have heard learned counsel for the appellant and perused the record placed before us.

After perusing the order of the High Court, it is clear that the order is passed without issuing notice to the respondent in the transfer petition, at the stage of admission itself. It is not proper on the part of the High Court to allow the transfer petition without issuing notice to the respondent in the transfer petition.

We, therefore, set aside the impugned order and restore T.A. NO. 391 of 2015 before the High Court.

The High Court is directed to issue notice to the respondent in the transfer petition and pass a speaking order, after affording opportunity to the respondent.

The appeal is, accordingly, disposed of.

.....J.
(N.V. RAMANA)

.....J.
(PRAFULLA C. PANT)

New Delhi,
March 27, 2017

ITEM NO.32

COURT NO.11

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 30200/2015

(Arising out of impugned final judgment and order dated 28/05/2015 in TA No. 391/2015 passed by the High Court Of Punjab & Haryana At Chandigarh)

PAWAN KUMAR

Petitioner(s)

VERSUS

SHARMILA

Respondent(s)

(With interim relief and office report)

Date : 27/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

Mr. Daya Krishan Sharma, Adv.

Ms. Monika Sharma, Adv.

Mr. Rohit Vats, Adv.

Ms. Jasleen Kaur, Adv.

For Respondent(s)

Mr. Shree Pal Singh, Adv. (Not present)

UPON hearing the counsel the Court made the following

O R D E R

This matter is called out twice, but none appears on behalf of the respondent.

Leave granted.

The appeal is disposed of in terms of the signed order.

[SUKHBIR PAUL KAUR]

A.R.-CUM-P.S.

[S.S.R.KRISHNA]

ASSISTANT REGISTRAR

(Signed order is placed on the file)