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T.P.(C) No. 54 OF 2002
ITEM No.18

Court No. 4

SECTION XVIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition.(Civil) No.54/2002

ANJU VERMA

Petitioner (s)

VERSUS

ATUL KUMAR VERMA

Respondent (s)

(With Appln(s). for stay)
With

T.P.(Crl.) No.493/2002 (With appln. for stay and office report)

Date : 18/08/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

Mr. Balraj Dewan.,Adv.(SCLSC)

Mrs. M. Qamaruddin, Adv. (SCLSC)

For Respondent (s)

Ms. Sangeeta Kumar,Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petitions are allowed in terms of the signed order placed on the file.
The parties through their respective counsel are directed to appear before the Court of District & Sessions Judge, Delhi on 6th October, 2003.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 54 OF 2002

Anju Verma...Petitioner

Versus

Atul Kumar Verma...Respondent

WITH

Gokul Chand Verma...Petitioner

Versus

Ramesh Chandra Verma & Ors....Respondents

O R D E R

These transfer petitions have been filed for transfer of HMA petition No. 81/2001 titled "Atul Kumar Verma Vs. Anju Verma" pending in the Court of Civil Judge, Senior Division, Ferozabad, Uttar Pradesh and Criminal Case No. 125/2002 titled "Ramesh Chandra Verma Vs. Shiv Om Verma & Ors." pending in the Court of Judicial Magistrate, Ferozabad, Uttar Pradesh to a Court of competent jurisdiction at Delhi.

Having heard the learned counsel for the parties, but without expressing any opinion on the allegations and counter allegations made against one another, which are subjudice in the main proceedings, we are of the opinion that it will be for better convenience of the parties and in the interest of justice if the proceedings are directed to be transferred from Ferozabad, Uttar Pradesh to Delhi.

Order dated August 23, 2002 passed in T.P. (Crl.) No. 8/2002 "Anju Verma Vs. Ramesh Chand Verma & Ors." has been brought to our notice wherein also another Bench of this Court has allowed the transfer of a similar matter between the parties from Ferozabad to Delhi.

Accordingly, the transfer petitions are allowed. It is directed that HMA petition No. 81/2001 titled "Atul Kumar Verma Vs. Anju Verma" pending in the Court of Civil Judge, Senior Division, Ferozabad, Uttar Pradesh and Criminal Case No. 125/2002 titled "Ramesh Chandra Verma Vs. Shiv Om Verma & Ors." pending in the Court of Judicial Magistrate, Ferozabad, Uttar Pradesh shall stand transferred to the Court of District & Sessions Judge, Delhi.

The Presiding Officers of the transferor Courts shall, soon on communication of this order, transfer the record of proceedings in HMA petition No. 81/2001 titled "Atul Kumar Verma Vs. Anju Verma" and Criminal Case No. 125/2002 titled "Ramesh Chandra Verma Vs. Shiv Om Verma & Ors." to the Court of District & Sessions Judge, Delhi. The learned District Judge may try the civil suit himself or make it over to a Court of competent jurisdiction under him for disposal according to law. The criminal case shall be made over by the learned Sessions Judge for trial and disposal in accordance with law to a competent criminal court within his jurisdiction.

Since the respondents have to travel from Ferozabad to Delhi, the Courts at Delhi shall as far as possible fix a common date in all the matters so that they may be saved from avoidable travels to Delhi.

The parties through their respective counsel are directed to appear before the Court of District & Sessions Judge, Delhi, on 6th October, 2003.

No order as to the costs.

.....J. (R.C. Lahoti)

.....J.
(ASHOK BHAN)

New Delhi,
AUGUST 18, 2003