

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(s). 104 OF 2005

OM PRAKASH

Petitioner(s)

VERSUS

RAHUL YADAV & ORS.

Respondent(s)

(With appln(s) for stay and office report)(For final disposal)

Date: 21/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr.Dayan Krishnan, Adv.

Mr. Nikhil Nayyar, Adv.

Mr.Gautam Narayan, Adv.

Mr.Ankit Singal, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is disposed of in terms of the signed order.

(Meenu Sethi)
ardwaj)

(Pushap Lata Bh

Court Master

Court Master

Signed order is placed on the file

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) No. 104/2005

Om Prakash ... Petitioner

VERSUS

Rahul Yadav & Ors. ... Respondent
s

O R D E R

Despite service of notice none has appeared on behalf of the respondents.

Having heard the learned counsel for the petitioner and keeping in view the allegations made in para 4 of the transfer petition, we are of the opinion that the interest of justice would be subserved if the transfer petition is disposed of with a direction upon the trial Court to issue necessary orders, if an application is filed on this behalf by the petitioner, directing examination of the petitioner and his witnesses on commission, the requisite expenses to be incurred by the respondents would be borne by the petitioner herein.

In the event of any threat given to the petitioner or his witnesses by the respondents, we are sure the concerned authority shall consider the desirability of looking thereinto.

The transfer petition is disposed of accordingly.

.....J.

(S.B.SINHA)

.....J.

(P.K.BALASUBRAMANYAN)

New Delhi,

April 21, 2006.