

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 81 OF 2008

HINDUSTAN PETROLEUM CORP. LTD.

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

(With appln(s) for stay and office report )

WITH T.P.(C) NO. 1006-1008 of 2008

(With appln(s) for ex-parte stay and office report )

T.P.(C) NO. 82 of 2008, T.P.(C) NO. 83 of 2008

T.P.(C) NO. 84 of 2008

T.P.(C) NO. 1009-1011 of 2008

T.P.(C) NO. 1012-1014 of 2008

(With appln(s) for stay and office report )

Date: 03/11/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Gopal Subramaniam, ASG  
Mr. Saurav Agrawal, Adv.  
Mr. Amit Pawan, Adv., Ms. Garima Gaur, Adv.

For Respondent(s) Mr. T.L.V. Iyer, Sr. Adv.  
Mr. M.L. Verma, Sr. Adv.  
Mr. Sema Adv., Ms. S. Geetha, Adv.  
Mr. R. Sathish, Adv.

UPON hearing counsel the Court made the following  
ORDER

T.P.(C) No.1006-1008/2008  
Issue notice.

There shall be ex-parte ad-interim stay of further proceedings of  
W.P.No.10216 of 2006; 13827 of 2007 and 10299 of 2008 titled 'Bharat Petroleum  
Corporation Ltd. vs. Assistant Commissioner(CT) LTU & Ors. pending before the Andhra  
Pradesh High Court.

The transfer petitions are allowed in terms of the signed order.

After receipt of the records, post in the 3rd week of December, 2008, for directions.

(R.K.DHAWAN)  
COURT MASTER

(VEERA VERMA)  
COURT MASTER

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

TRANSFER PETITION(C) NO.81 OF 2008

HINDUSTAN PETROLEUM CORP.LTD.

... PETITIONER.

VERSUS

STATE OF KERLA & ORS.

...RESPONDENTS.

WITH  
T.P.(C) NO.82,83,84, 1009-1011 AND  
1012-1014 OF 2008

ORDER

Heard both sides.

The petitioners, the Government of India's companies, had filed certain transfer petitions seeking transfer of the writ appeals filed by the State of Kerala and pending before the Kerala High Court.

Having regard to the facts and circumstances of the cases, we allow the transfer petitions. The Writ Appeal No.1557 of 2002 (State of Kerala & Ors. vs. M/s. H.P.C.L. & Anr.); Writ Appeal No.1395 of 2002 (State of Kerala & Ors. Vs. M/s.I.B.P. Ltd. & Anr.); Writ Appeal No.1637 of 2002 (State of Kerala & Ors. vs. M/s. Bharat Petroleum Ltd. & Anr.); and Writ Appeal No.1734 of 2002 (State of Kerala & Ors. Vs. M/s.I.O.C.L. & Anr.), pending before the Division Bench of the Kerala High Court are directed to be transferred to this Hon'ble Court.

The Transfer Petition(C) Nos.81,82,83and 84 of 2008 are allowed accordingly.

transfer petitions seeking transfer of the writ petitions pending before the Andhra Pradesh High Court to be heard along with Writ Appeal Nos.1557/2002 etc. filed by the State of Kerala before the Kerala High Court.

Having regard to the facts and circumstances of the cases, we allow the transfer petitions. The Writ Petition Nos.10402 of 2006; 13063 of 2007 and 10368 of 2008 (Inidan Oil Corporation Ltd. Vs. Assistant Commissioner(CT) LTU & Ors.) and Writ Petition Nos.10217 of 2006; 12917 of 2007 and 10161 of 2008 (Hindustan Petroleum Corporation Ltd. vs. Assistant Commissioner (CT) LTU & ors.) pending before the Andhra Pradesh High Court are directed to be transferred to this Hon'ble Court.

The Transfer Petition(C) Nos.1009-1011 of 2008 and 1012-1014 of 2008 are allowed accordingly.

The High Courts of Kerala and Andhra Pradesh are directed to send all the records to this Court.

After receipt of the records, post in the 3rd week of December, 2008, for directions.

.....CJI  
(K.G. BALAKRISHNAN)

.....J  
(AFTAB ALAM)

NEW DELHI;  
NOVEMBER 03, 2008.