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T.P.(C) No. 217 OF 2004  
ITEM No.35+42

Court No.12

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.217/2004

KOLUTHARA EXPORTS LTD. & ANR.

Petitioner (s)

VERSUS

CENTURION BANK LTD. & ANR.

Respondent (s)

( With Appln(s). for stay and permission to submit additional document(s) and exemption from filing typed copies of annexures and office report)

With W.P.(C) 630/2004 (With appln.(s) for ex-parte stay)

Date : 19/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr.T.L.V. Iyer, Sr.Adv.  
Mr. P.K. Manohar,Adv.

For Respondent (s)Mr. Gopal Subramanian, Adv.  
Ms. Priya Dwarkadass, Adv.

Mr. E.C. Agrawala,Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agrawal, Adv.

UPON hearing counsel the Court made the following  
O R D E R

T.P.(C) No.217 of 2004

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

W.P.(C) 630 of 2004

The writ petition is dismissed but with liberty to the petitioner to move the Bombay High Court, if so advised.

(SUKHBIR PAUL KAUR)  
COURT MASTER

(RAMESH CHAND)  
COURT MASTER  
(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C)NO.217 OF 2004

KOLUTHARA EXPORTS LTD. & ANR.....PETITIONER(S)

VERSUS

CENTURION BANK LTD. & ANR.....RESPONDENT(S)

WITH W.P.(C) 630 OF 2004

O R D E R

T.P.(C) NO.217 OF 2004

Heard counsel for the parties.

We are not inclined to allow the transfer petition, which is accordingly, rejected.

Counsel for the petitioner submitted that the Bombay High Court has no jurisdiction to try the suit which is a mortgage suit. We do not wish to express any opinion, but leave it to the petitioner to seek remedy in accordance with law.

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W.P.(C) 630 OF 2004

The Writ Petition is dismissed but with liberty to the petitioner to move the Bombay High Court, if so advised.

.....J.  
(B.P.SINGH)

.....J.  
(ARUN KUMAR)

New Delhi;  
November 19, 2004.