

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

TRANSFER PETITION (CIVIL.) NO(s). 159-163 OF 2009

EXIDE INDUSTRIES LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS. ETC.  
(With appln(s) for stay and office report)

Respondent(s)

Date: 08/04/2011      These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s)      Mr.      Shyam Divan, Sr.Adv.  
   Mr.      Gaurav Goel,Adv.  
   Mr.      E.C. Agrawala,Adv.  
   Mr.      Mahesh Agarwal,Adv.  
   Mr.      Rishi Agrawala,Adv.

For Respondent(s)      Mr.      P.P. Malhotra, ASG  
   Mr.      A.K. Srivastava,Adv.  
   Mr.      Gaurav Sharma,Adv.  
   Ms.      Sushma Suri,Adv.

Mr. V.N. Raghupathy,Adv.

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

Heard all the parties concerned.

Transfer petitions are allowed in terms of the  
signed order.

[Madhu Bala]  
Sr.P.A.

[Savita Sainani]  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NOS.159-163 OF 2009

EXIDE INDUSTRIES LTD.

...PETITIONER

VERSUS

UNION OF INDIA & ORS. ETC.

...RESPONDENTS

O R D E R

Heard all the parties concerned.

The petitioner has prayed for transfer of writ petitions being W.P.No. 6517 of 2003 titled as Exide Industries Limited vs. Union of India & Ors. pending before the Gauhati High Court;      W.P. 7455 of 2005 titled as Exide

Industries Limited Vs. Union of India & Ors.; W.P.No. 4181  
of 2005 titled as Exide Industries Ltd. Vs. Inspector of  
Legal Metrology; W.P.No. 235 of 2006 titled as Exide  
Industries Ltd. Vs. Union of India & Ors. pending before  
the High Court of Karnataka at Bangalore and W.P. No. 6763  
of 2005 titled as Exide Industries Ltd. Vs. Union of India  
& Ors. pending before the High Court of Bombay at  
Aurangabad to the Delhi High Court to be heard alongwith  
W.P.(C) No.7005 of 1999.

It is brought to our notice that in a similar issue  
against the decision of the High Court of Kerala at  
Ernakulam in Writ Petition O.P. No. 18575 of 1998 dated  
09.04.2008, this Court entertained an appeal and also  
granted interim order.

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It is also brought to our notice that after grant of  
leave the said matter is numbered as C.A.No. 59 of 2009 and  
awaiting decision of this Court.

In view of the fact that the issue raised in all  
these matters is one and the same, we transfer all the  
above-mentioned writ petitions to this Court for being  
heard alongwith C.A.No. 59 of 2009.

Transfer petitions are allowed accordingly.

.....J.  
[P. SATHASIVAM]

NEW DELHI  
8th APRIL, 2011

.....J.  
[DR. B.S. CHAUHAN]