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T.P.(C) No. 275 OF 2003

ITEM No.39

Court No. 9

SECTION XVIA
A/N MATTER

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.275 of 2003

JOYCE PRIMROSE PRESTON NEE VAS & ANR.

Petitioner (s)

VERSUS

VERA MARIE VAS & ORS.

Respondent (s)

(With Office Report)

Date : 26/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Ms. Nisha Bagchi,Adv.
Mr. Manish,Adv.
Ms. Meenakshi Arora,Adv.

For Respondent (s)Nemo

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

Heard the learned counsel for the petitioners.

At the request of the learned counsel for the petitioners, the names of Respondent Nos.3 and 4 are deleted from the array of parties at the risk and cost of the petitioners.

The transfer petition is allowed.

No costs.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 275 OF 2003

Joyce Primrose Preston Nee Vas & Anr. ...Petitioner(s)

Versus

Vera Marie Vas & Anr. ...Respondent(s)

O R D E R

Despite service of notice on the respondents, they are neither present nor represented. This petition is filed seeking transfer of Original Suit No. 147 of 1999, titled as Joyce Primrose P. Nee Vas vs. Vera Marie Vas & Ors., pending before the Subordinate Judge at Oocatumand, the Nilgiris, Tamil Nadu, to the City Civil Court at Bangalore on the grounds that the first petitioner is an old lady of seventy four years suffering from various diseases, including cardiac problems. The first respondent is also residing at Bangalore. The second respondent has died and the petitioners are his legal representatives. Under these circumstances, looking to the other grounds raised in the petition and in the absence of any opposition, we think it is appropriate that this transfer petition be allowed. Accordingly, it is allowed

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and Original Suit No. 147 of 1999, titled as Joyce Primrose P. Nee Vas vs. Vera Marie Vas & Ors., pending before the Subordinate Judge at Oocatumand, the Nilgiris, Tamil Nadu, shall stand transferred to the City Civil Court at Bangalore.
No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[D.M. DHARMADHIKARI]
New Delhi,
April 26, 2004.