

## IN THE SUPREME COURT OF INDIA

## CIVIL ORIGINAL JURISDICTION

## TRANSFER PETITION (C) NOS.645-658 OF 2004

STATE BANK OF INDIA & ANR. ETC. ... PETITIONERS

VERSUS

A.P. BANK'S DEPOSIT COLLECTORS ASSON. & ORS. ... RESPONDENTS

WITH

SLP(C) NOS.584/2005, 721/2005, 633/2005, 763/2005, 723/2005 AND T.P.(C) NOS.56/2005 AND 235 OF 2005.

O R D E R

TRANSFER PETITION (C) NOS.645-658/2005 & 56 OF 2005

This is the application for transfer of the following writ petitions pending in the various

High Courts :

W.P.No.12865/01-before the Andhra Pradesh High Court at Hyderabad

O.P.No.38446/01-before the Kerala High Court

CWP No.9384/01-before the High Court of PB.&Haryana at Chandigarh

OJC No.7908/01-before the High Court of Orissa at Cuttack

P.No.18004/01-before

the Kerala High Court

W.P.No.1146/01-before the High Court of Chhattisgarh

P.No.25244/01-before

the Allahabad High Court

W.P.No.3960/01-before the Delhi High Court

W.P.No.26531/01-before the High Court of Judicature at Allahabad

W.P.No.2056/01-before the High Court of Judicature at Allahabad

W.

P.No.448/2004-before

the High Court at Bombay, Aurangabad.

In this batch of writ petitions in which a common question of law and facts arise  
s pending

in various High Courts. To avoid conflicting judgments and multiplicity of litigations  
we deem it just

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and proper to transfer these petitions to this Court. The aforesaid wr  
it petitions are accordingly

transferred before this Court.

After transfer is affected the petitioners are at liberty to  
move their application for

vacating the interim order.

TRANSFER PETITION (C) NOS.645-658/2004 & 235 OF 2005

The following batch of writ petitions relating to the recovery of refund is pe  
nding before

the several High Court :

W.P.No.35889/01-before the High Court of Judicature at Allahabad

W.P.No.37648/01-before the High Court of Judicature at Allahabad

W.P.No.33626/01-before the High Court of Judicature at Allahabad

W.P.No.8878/04-before

the High Court of Madras and

CWP No.5677/04-before the High Court of Pb.&Haryana at Chandigarh

In the interest of justice we deem it necessary to transfer all these cases be  
fore this Court.

Accordingly, the cases mentioned above are transferred to this Court.

The transfer petitions are allowed.

SLP(C) NOS.584/2005, 721/2005, 633/2005, 763/2005, 723/2005

In view of our order granting liberty to the petitioners to  
move for vacation of interim

order, the special leave petitions are not pressed and are accordingly disposed of.

.....J.

( H.K. SEMA )

...J.

.....

( B.N. SRIKRISHNA )

NEW DELHI,

OCTOBER 21, 2005.

ITEM NO.202

COURT NO.10

SECTION XVIA

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). 645-658 OF 2004

STATE BANK OF INDIA & ANR

Petitioner(s)

VERSUS

A.P.BANK'S DEPOSIT COLLECTORS ASSON.&ORS

Respondent(s)

(With appln(s) for intervention,stay and for final disposal)

WITH T.P.(C) NO. 235 of 2005,T.P.(C) NO. 56 of 2005(With appln(s) for stay and office report and for

final disposal)

SLP(C) NO. 584 of 2005(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief and for final disposal)

SLP(C) NO. 633 of 2005(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief and for final disposal)

SLP(C) NO. 721 of 2005(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief and for final disposal)

SLP(C) NO. 723 of 2005(With appln(s) for c/delay in filing SLP,exemption from filing c/c ofthe impugned Judgment and with prayer for interim relief and for final disposal)and

SLP(C) NO. 763 of 2005(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief and for final disposal)

Date: 21/10/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s) Mr. Soli J. Sorabjee, Sr.Adv.

In TP(C)645-658/04 Mr. Sanjay Kapur,Adv.

& 56/05, 235/05 Mrs. Shubra Kapur, Adv.

Mr. Rajiv Kumar, Adv.

Mr. Sanjeev Kumar, Adv.

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In SLPs Mr. Mukul Rohtagi, Sr.Adv.

Mr. Sanjay Kapur,Adv.

Mrs. Shubra Kapur, Adv.

Mr. Rajiv Kumar, Adv.

Mr. Sanjeev Kumar, Adv.

For Respondent(s) Mr. Ravindra Kumar,Adv.

Mr. Jitendra Sharma, Sr.Adv.

Mr. B.K. Pal, Adv.

Mr. P.N. Jha, Adv.

Mr. Ambrish Kumar ,Adv

Mr. Sanjay R. Hegde ,Adv

Mr. Praveen Swarup ,Adv

Mr. S.S. Shinde, Adv.

Mr. Ravindra Keshavrao Adsure

Mr. P.P. Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

TRANSFER PETITION (C) NOS.645-658/2004, 56 & 235 OF 2005

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

SLP(C) NOS.584/2005, 721/2005, 633/2005, 763/2005, 723/2005

In view of our order granting liberty to the  
petitioners to move for  
vacation of interim order, the special leave petitions are no  
t pressed and are  
accordingly disposed of.

(PAWAN KUMAR)  
COURT MASTER

(PREM PRAKASH)  
COURT MASTER

(signed order is placed on the file)