

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFERRED CASE (CIVIL) NO. 45 OF 2010

K.M. JOSEPH & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

- T.C.(C) NO. 49 of 2010
- T.C.(C) NO. 48 of 2010
- T.C.(C) NO. 47 of 2010
- T.C.(C) NO. 46 of 2010
- T.C.(C) NO. 6 of 2011
- T.C.(C) NO. 7 of 2011
- T.C.(C) NO. 19 of 2011
- T.C.(C) NO. 23 of 2011
- T.C.(C) NO. 20 of 2011(With office report)
- T.C.(C) NO. 21 of 2011
- SLP(C) NO. 10903 of 2011(With office report)
- T.P.(C) NO. 112 of 2011(With office report)
- T.P.(C) NO. 127 of 2011(With office report)
- T.C.(C) NO. 82 of 2011
- T.C.(C) NO. 83 of 2011

Date:26/09/2013 These Petitions were called on for hearing today.

CORAM :

- HON'BLE MR. JUSTICE H.L. GOKHALE
- HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. V. Giri,Sr.Adv.
 Mr. Gautam Narayan,Adv.
 Mr. V. Parthiban,Adv.
 Mr. TVS Raghavendra Sreyas,Adv.
 Mr. Mubashir Mushtaq,Adv.
 For Mr. Nikhil Nayyar,Adv.

Mr. Colin Gonsalves,Sr.Adv.
 Mr. Tariq Adeeb,Adv.
 Ms. Jyoti Mendiratta,Adv.
 Mr. Gautam Narayan,Adv.

(in TP(C) 112 & 127 of 2011 Ms. Tatini Basu,Adv.
 Mr. Abhay Kumar,Adv.

(in TC 47/10) Mr. Dinesh Mathur,Adv.
 Ms. Jyoti Dastidar,Adv.
 Mr. Rameshwar Prasad Goyal,Adv.

For Respondent(s) Mr. P.P. Malhotra,ASG
 (in TC 45/10) Ms. B. Sunita Rao,Adv.
 Mr. Yasir Rauf,Adv.
 Mr. Sushma Suri,Adv.

(in TC 48/10) Mr. T.R. Andhjarujina,Sr.Adv.
 Mr. Dinesh Mathur,Adv.
 Ms. Jyoti Dastidar,Adv.
 Mr. Rameshwar Prasad Goyal,Adv.

(in TC 45/10) Mr. K.V. Vishwanathan,ASG
Mr. Dinesh Mathur,Adv.
Ms. Jyoti Dastidar,Adv.
Mr. Rameshwar Prasad Goyal,Adv.

(in TC 46/10) Mr. Dinesh Mathur,Adv.
Ms. Jyoti Dastidar,Adv.
Mr. Rameshwar Prasad Goyal,Adv.

(in SLP 10903/11) Mr. Gautam Narayan,Adv.
Mr. V. Parthiban,Adv.
Mr. TVS Raghavendra Sreyas,Adv.
Mr. Mubashir Mushtaq,Adv.

Mr. Dinesh Mathur,Adv.
Ms. Jyoti Dastidar,Adv.
For M/S. Dua Associates,Advs.

Mr. B. Krishna Prasad,Adv.

Mr. R.N. Poddar,Adv.

UPON hearing counsel the Court made the following

O R D E R

TP(C) Nos. 112 & 127 of 2011:

Heard Ms. Tatini Basu, learned counsel in support of these transfer petitions.

Issue notice returnable forthwith.

Mr. Dinesh Mathur, learned counsel accepts notice on behalf of all the five Insurance Companies and Mr. Malhotra, learned Additional Solicitor General along with Mrs. B. Sunita Rao, appears for the Union of India. They waive formal service of notice. Counsel for the petitioner will hand over copies of these transfer petitions to Mr. Dinesh Mathur and Mrs. B. Sunita Rao during the course of the day.

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

IN ALL THE TRANSFERRED CASES:

Learned counsel appearing for the Insurance Companies and learned Additional Solicitor General appearing for the Union of India make a request that they be permitted to file counter affidavit and assure that the same will be placed on record within three weeks. Let the counter affidavit be filed on or before 17th October, 2013. Mr. Giri, learned senior counsel appearing for the petitioner in Transferred case No.7 of 2011 also assures that rejoinder affidavit, if any, will be filed and made available to the other side on or before 22nd October, 2013. In view of these statements and in view of the request made by the learned counsel appearing in these matters, let these matters be listed for hearing on 24th October, 2013 high on Board subject to overnight part-heard.

Transferred Case (C) No.48 of 2010 and Transferred Case (C) No.7 of 2011 will be treated as the lead cases. In these two matters,

pleadings are expected to be completed on or before 22nd October, 2013.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 112 OF 2011

GIC PENSIONERS' ASSOCIATION (EASTERN REGION)
AND ORS.

Petitioner(s)

:VERSUS:

THE GENERAL INSURANCE CORPORATION
OF INDIA AND ORS.

Respondent(s)

WITH
TRANSFER PETITION (CIVIL) NO. 127 OF 2011

O R D E R

Heard Ms. Tatini Basu, learned counsel in support of these transfer petitions and Mr. Dinesh Mathur, learned counsel appearing on behalf of all the five Insurance Companies and Mr. Malhotra, learned Additional Solicitor General along with Mrs. B. Sunita Rao, appearing for Union of India.

Both these transfer petitions are allowed and Writ Petition Nos. 14852 (W) and 14953 (W) of 2006, both titled as "The GIC Pensioners' Association, Eastern Region & Others Vs. The General Insurance Corporation of India & Others", pending before the Calcutta High Court shall be transferred to this Court.

(H.L. GOKHALE)

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(J. CHELAMESWAR)

New Delhi;
September 26, 2013.