

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

TRANSFER PETITION (CRL.) NO(s). 117 OF 2004

INST.OF MANG.DEV.&RES.JAMMU CENTRE & ORS.
VERSUS

Petitioner(s)

SANJYA JAMWAL

Respondent(s)

(With appln(s) for stay)

WITH T.P.(CRL) NO. 164-171 of 2005

T.P.(CRL) NO. 24 of 2005

(With appln. for stay and office report)

Date: 16/09/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) M/s. M.P. Jha, Abhijit Chatterjee,
Ram Ekbal Roy, Harshvardhan Jha,
Anil K. Chopra, Advs.

Mr. Neeraj Kishan Kaul, Sr.Adv.
Mr. Rajiv K. Garg, Adv.
Mr. Ashish Garg, Adv.
For Mr. Annam D.N. Rao, Adv.

Mr. G.V.R. Choudhary, Adv.
Mr. Bijan Kumar Ghosh. Adv.

For Respondent(s) Mr. Ashok Mathur, Adv.
Mr. Anshul Narayan, Adv.

Mr. Shibashish Misra, Adv.

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UPON hearing counsel the Court made the following

O R D E R

A reference was made to the Constitution Bench in T.P.(C)

No.59 of 2004. The question raised relates to power of this Court

to transfer a case from the State of Jammu & Kashmir outside the

State and vice-versa.

Later the transfer petition No.59/2004 was

withdrawn and it was dismissed on 7th August, 2008.

T.P.(Crl.) No.117/2004, T.P.(Crl.) No.24/2005 and T.P.

(Crl.) Nos.164-171/2005 were tagged on to this petition.

In these

transfer petitions no such question has been referred to the constitution bench.

We, therefore, direct these cases be posted as usual before the regular bench. We leave open the question raised in T.P.

(C) No.59/2004 and permit the petitioners to raise this question in appropriate proceeding.

(R.K. Dhawan)
Court Master

(Madhu Saxena)
Court Master

(Veera Verma)
Court Master