

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). 158 OF 2012

MAJA DARUWALA & ORS. Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ANR. Respondent(s)

(With appln(s) for permission to file additional documents and office report)

Date: 19/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. S.K. Dholakia, Sr. Adv.
Ms. Aarthi Rajan, Adv. for
Mr. Rauf Rahim, Adv.

For Respondent(s) Mr. Soumitra G. Chaudhuri, Adv.
Mr. Abhijit Sengupta, Adv.
Mr. Faisal M., Adv.

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

Transfer Petition is disposed of in terms of signed order.

(Pardeep Kumar)		(Renu Diwan)	
Court Master		Court Master	

[SIGNED ORDER IS PLACED ON the FILE]

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO. 158 OF 2012

| MAJA DARUWALA AND OTHERS | ... | PETITIONER(S) |

| Versus |

| STATE OF WEST BENGAL AND ANOTHER | ... | RESPONDENT(S) |

O R D E R

We have heard Mr. S.K. Dholakia, learned senior counsel

for the petitioners and Mr. Soumitra G. Chaudhuri, learned counsel for the respondent No. 1 - State of West Bengal.

2. No body appears for the respondent No. 2 - Union of India, although vakalatnama has been filed on its behalf.

3. We have perused the order passed by the High Court on November 18, 2011 which reads as follows:

"Learned counsel for the petitioners brought to our notice that the Supreme Court of India is seized with the similar issues involved in this petition as it is dealing with the petition filed by one Bhim Singh (W.P. (Crl.) No. 310 of 2005 Bhim Singh vs. Union of India and others. It is submitted that the petitioners would like to apply before the Supreme Court of India for transferring the present writ petition before the Supreme Court of India, so that the Supreme Court can deal with the matter.

Learned Additional Solicitor General and the learned Government Pleader have no objection.

We grant leave to the petitioners to move the Hon'ble Supreme Court by getting this matter transferred from our file to Supreme Court."

: 2 :

4. Having regard to the above, we grant this Transfer Petition and transfer Writ Petition No. 8105 (W) of 2011 - Ms. Maja Daruwala and others vs. State of West Bengal and another, pending before the Calcutta High Court to this Court. The Registrar General of the Calcutta High Court shall send the record of the above case to this Court as expeditiously as may be possible.

5. Transfer Petition stands disposed of accordingly.

.....J.
(R.M. LODHA)

.....J.
(ANIL R. DAVE)

NEW DELHI
NOVEMBER 19, 2012.