

ITEM NO.46

COURT NO.9

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(s)(Criminal) No(s). 10/2013

SURENDER NATH MISHRA

Petitioner(s)

VERSUS

VIJAY KUMAR MISHRA & ORS.

Respondent(s)

(With application for exemption from filing Official Translation,
stay and office report)

Date : 08/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mr. Sumit Mukherjee, Adv.
Mr. Umang Shankar, A.O.R.
Mr. Sanjay Singh, Adv.

For Respondent(s)

For RR 10

Mr. Ardhendumauli Kumar Prasad, A.O.R.
Mr. Ram Kishore Singh Yadav, Adv.

For RR 5

Mr. P. K. Jain, A.O.R.

For RR 1

Mr. Jaideep Gupta, Sr. Adv.
Ms. Ranjeeta Rohtagi, A.O.R.
Ms. Jaya Khanna, Adv.

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

The Transfer Petition is disposed of in terms
of the signed order.

Signature Not Verified

[KALYANI GUPTA]

[SHARDA KAPOOR]

Digitally signed by

COURT MASTER

COURT MASTER

Kalyani Gupta

Date: 2014.10.11

11:49:55 IST

Reason:

[SIGNED ORDER IS PLACED ON THE FILE.]

T.P.(CRL.) NO. 10 OF 2013

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO. 10 OF 2013

SURENDER NATH MISHRA

.....

PETITIONER

VERSUS

VIJAY KUMAR MISHRA & ORS.

.....

RESPONDENTS

O R D E R

After hearing counsel for the respective parties, we considered the prayer of the petitioner seeking the transfer of Sessions Trial No. 59 of 2009 entitled State v. Vijay Kumar Mishra pending in the Court of Special Jduge (Gangster and Anti Social Activities Prevention Act), Allahabad U.P. to a Court of competent jurisdiction in any State other than Delhi.

2. Learned counsel, however, now states that the petitioner will be satisfied if the case is transferred even within the State of Uttar Pradesh especially to the Court of Special Judge under the same Act posted at Varanasi. Counsel for the respondents have also expressed no objection.

3. Considering the grievances expressed in the Transfer Petition and the no objection expressed by the

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T.P.(CRL.) NO. 10 OF 2013

counsel appearing for the respondents, proceedings in Sessions Trial No. 59 of 2009 entitled State v. Vijay Kumar Mishra pending before the court of Special Judge (Gangster and Anti Social Activities Prevention Act), Allahabad is transferred to the Special Judge (Gangster and Anti Social Activities Prevention Act) at Varanasi.

4. The record of the aforesaid Sessions Trial shall be transferred by the Special Court at Allahabad to the Special Court at Varanasi within a period of one month from the date of receipt of a copy of this order.

5. Parties shall appear before the Special Court (Gangster and Anti Social Activities Prevention Act),

Varanasi on 10th November, 2014.

6. The Special Court at Varanasi shall ensure that the case is disposed of expeditiously preferably within a period of six months from the date of transfer.

7. The Transfer Petition is disposed of.

.....J
[FAKKIR MOHAMED IBRAHIM KALIFULLA]

.....J
[SHIVA KIRTI SINGH]

NEW DELHI
OCTOBER 08, 2014.

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