

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. 176/2003

K. VIDYA SAGAR

Petitioner (s)

VERSUS

DIRECTOR, C.B.I. & ANR.

Respondent (s)

(With Appln(s). for stay, for additional prayer and for further investigation)
(For Final Disposal)

Date : 16/12/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

In Person

For Respondent (s)Mr. Ajit S. Bhasme, Adv.
For RR No.1-CBI Mr. P. Parmeswaran, Adv.

For RR No. 2Mr. Jitendra Mohan Sharma, Adv.

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

This is a transfer petition under Section 406 of the Code of Criminal Procedure. The counsel for respondent No. 1 states that respondent No. 1 has no objection to the prayer for transfer being allowed. Counsel for respondent No. 2 seeks time for filing the counter affidavit. As a matter of last opportunity, two weeks' time is allowed

for filing the counter affidavit. As the petitioner in person claims that he comes from Andhr a Pradesh and in support of the same shows the tickets for perusal of the Court, respondent No . 2 is directed to pay Rs. 1000/- by way of adjournment costs to the petitioner. The petitioner states that he does not want costs. The order as to costs is waived. The petitioner may take a date of his convenience for hearing in the matter from the office.

CRLMP 8961/2003

This is an application seeking direction to C.B.I. to investigate further and to file a report in this Court and to seize all documents relating to the application for passport of the petitioner.

These prayers lie within the jurisdiction of the trial court. The petitioner is at liberty to make that prayer to the Court where the matter is pending now or to the transferee court in t he event of the transfer petition being allowed. While hearing a transfer petition this Court cannot like exercising original jurisdiction make such orders. The Criminal Miscellaneous Petition is rejected.

During the course of hearing the petitioner pointed out that his valuable articles relating to the present case are lying in the custody of C.B.I. and are getting spoiled. Let the learned counsel for the C.B.I. Seek instructions in this regard.

The application seeks to place on record copies of papers from the disposed of S.L.P.

KALYANI

(RADHA R. BHATIA)
COURT MASTER