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T.P.(C) No. 29 OF 2001

ITEM No.201

Court No. 4

SECTION XVIA
A/N MATTER

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

Transfer Petition.(Civil) No.29/2001

UMA KHANNA

Petitioner (s)

VERSUS

PRAKASH CHAND KHANNA & ORS.

Respondent (s)

(With Appln(s). for stay and exemption from filing O.T. And c/delay
in filing rejoinder and permission to file addl. Affidavit and
exemption from filing O.T.)(For Final Disposal)
With

T.P.(C) No.578/2001 (With Appln. (s) for stay)

Date : 28/03/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)

Mr. S.V. Deshpande,Adv.

For Respondent (s)

Mr. Prem Prasad Juneja,Adv.

Mr. Shivaji M. Jadhav, Adv.

Mr. Chetan Sharma, Sr, Adv.

Mr. Rahul Srivastava, Adv.

Mr. Rajesh Srivastava, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petitions are dismissed with observations in terms of the signed order.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C) NO.29 OF 2001

Uma Khanna

....

Petitioner

Versus

Prakash Chand Khanna & Ors.

....

Respondents

WITH

TRANSFER PETITION (C) NO.578 OF 2001

Ranveer Khanna (D) By Lrs.

....

Petitioners

Versus

Premvati Khanna (D) by Lrs. & Ors.

....

Respondents

O R D E R

The transfer petitions are dismissed subject to two observations. Firstly, the dismissal of these transfer petitions shall not come in the way of the Probate Court/Trial Court deciding the question of territorial jurisdiction which has been raised before it as a preliminary issue; and secondly, the learned counsel for the respondents, who are the applicants before the Probate Court, gives an assurance on behalf of the applicants that in the event of any occasion arising for the petitioner herein and/or her son for personally going to Jabalpur where the Probate Case/Civil Suit is pending, there shall be no risk to safety and security of any one of them. This statement is taken on record.

.....J.

(R.C. LAHOTI)

.....J.

(ARUN KUMAR)

New Delhi

March 28, 2003