

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(s). 415 OF 2007

DEEPAK Petitioner(s)

VERSUS

GAURAV GUPTA Respondent(s)

(With appln(s) for stay and office report)

Date: 16/08/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Dinesh Verma, Adv.
Mr. Rajat Sharma, Adv.
Dr. Kailash Chand, Adv.

For Respondent(s)

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

The Transfer Petitioner is allowed in terms of the signed order.

(Jasvir Singh)
Sr.P.A.

(Renu Diwan)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

TRANSFER PETITION (CIVIL) NO. 415 OF 2007

DEEPAK Petitioner

Versus

GAURAV GUPTA Respondent

ORDER

This is a Transfer Petition filed by the petitioner praying for transfer of Civil Suit No. 577 of 2005 filed by the respondent herein and pending before the Senior Civil Judge, Tis Hazari Courts, Delhi, to a competent court at Bathinda, Punjab. In the

petition, it is also stated that the petitioner is at present residing at Bathinda which is about 325 Kms. away from Delhi and it is difficult to visit Delhi to contest the aforesaid civil case. It is also one of the contentions that two other cases between the petitioner and the respondent are pending consideration in the court of CJM, Bathinda.

We issued notice on this petition and the notice was served on the respondent. Despite service of notice, none appears for the respondent to contest the petition. In view of the statements made in the petition which go unrebutted and unchallenged, we allow this petition. We also direct that the Civil Suit No. 577 of 2005 titled as Gaurav Gupta v. Mrs. Deepak be transferred to a competent court of Bathinda, Punjab. The records of the said case shall be transmitted to the District Judge, Bathinda, who shall allot it to a competent court for trial of the said case. The petition is allowed to the aforesaid extent.

.....J
(MUKUNDAKAM SHARMA)

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

New Delhi;
Dated: August 16, 2010