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T.P.(C) No. 611 OF 2001

ITEM No.27

Court No. 6

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.611/2001

KASHI NATH ROY

Petitioner (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent (s)

Date : 08/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s)

Mr. Braj Kishore Mishra,Adv.  
Ms.Aparna Jha,Adv.

For Respondent (s)

Kumar Rajesh Singh,Adv.  
Mr. B.B. Singh,Adv.  
  
Ms. Kamakshi S. Mehlwal,Adv.

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

.SP2  
.....L.....I.....T.....T.....T.....T.....T.....J  
The transfer petition is ordered.

.SP1  
(Usha Bhardwaj) (Kanwal Singh)  
P.S. to Registrar Court Master

Signed order is placed on the file.

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.PL55  
IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) No.611 of 2001@@  
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Kashi Nath Roy

....Petitioner

versus

The State of Bihar & Ors.

.....Respondents

O R D E R@@  
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.SP2  
.....L.....I.....T.....T.....T.....T.....T.....T.....J

This is an application seeking transfer of writ petition C.W.J.C.No.1917/1997 titled Kashi Nath Roy vs. The State of Bihar & Ors. from the High Court of Judicature at Patna to Delhi High Court. The ground for transfer is that the petitioner's brother is a sitting judge of the High Court. Without anything more we would not have accepted this a valid ground for transfer, but a perusal of the copy of the proceedings filed by the petitioner indicates that various Division Benches, atleast six, have declined to hear the writ petition.

The learned counsel appearing for the respondents submits that she has no objection for transfer of the case.

In the circumstances, we order that the writ petition CWJC.No.1917/1997 filed in the High Court of Patna be transferred to the Delhi High Court.

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:2:

The petition is ordered accordingly.

.SP1  
.....J.  
(SYED SHAH MOHAMMED QUADRI)

New Delhi,  
April 8, 2002  
.....J.  
(S.N. VARIAVA)