

®

ITEM NO.21

COURT NO.2

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 (CIVIL.) NO(s). 1196 OF 2013
(for prel. hearing)

U.O.I & ORS.

Petitioner(s)

VERSUS

SHIV NARAYAN RAM & ORS.
(With office report)

Respondent(s)

Date: 05/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. P.P. Malhotra, ASG
Mr. Rajiv Nanda, Adv.

For Respondent(s)

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

In this petition filed under Article 139-A of the Constitution read with order XXXVI-A of the Supreme Court Rules, 1966, the petitioners have prayed for transfer of C.W.J.C. No.10126 of 2007 titled Shivnarayan Ram and others v. Union of India and others pending in the Patna High Court.

We have heard Shri P.P.Malhotra, learned Additional Solicitor General and carefully perused the record.

In our considered view, there is no valid ground or justification to entertain the prayer for transfer of the writ petition pending before the Patna High Court. If the petitioners are correct in their argument that the case of the respondents is squarely covered by the judgment of this Court in Union of India v. Pushpa Rani and others (2008) 9 SCC 242, then the same can be placed before the High Court for appropriate consideration and order.

However, we do not find any valid ground or justification to transfer the case from Patna to Delhi and thereby make it virtually impossible for the respondents to pursue their cause.

The transfer petition is accordingly dismissed.

| (Parveen Kr.Chawla)
| Court Master
|

| | (Phoolan Wati Arora)
| | Court Master
| |