

)ITEM NO.27

COURT NO.3

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). 769 OF 2004

SIPPY JAY SETHIA

Petitioner(s)

VERSUS

VINEETH SETHIA

Respondent(s)

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

WITH T.P.(CRL) NO. 13 of 2005

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

T.P.(CRL) NO. 14 of 2005

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

T.P.(CRL) NO. 305 of 2004

(With appl(s) for stay)

T.P.(CRL) NO. 306 of 2004

(With appl(s) for stay)

Date: 27/04/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s)

Mr. Trideep Pais, Adv.

Ms. Radhika Kolluru, Adv.

Mr. Ankit Singhal, Adv. for

Mr. Nikhil Nayyar, Adv.

For Respondent(s)

Mrs.B.Sunita Rao,Adv.

Mr. Mohan Pandey, Adv.

Mr.Gaurav Agrawal, Adv.

Mr.Jawahar Raja, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petitions are allowed in terms of the signed order.

(J.S. Rawat)

(Kanwal Singh)

A.R.-cum-P.S.

Court Master

[Signed order is placed on the file].

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION © No. 769 of 2004.

Sippy Jay Sethia

Petitioner(s)

Versus

Vineeth Sethia

Respondent

(s)

With

TRANSFER PETITION (Cr1)No. 305 of 2004.

TRANSFER PETITION (Cr1)No. 306 of 2004.

TRANSFER PETITION (Cr1)No. 13 of 2005.

TRANSFER PETITION (Cr1)No. 14 of 2005.

O R D E R

1. These petitions under Sections 25 of the Code of Civil Procedure (CPC) and 406 of the Code of Criminal Procedure (Cr.PC) have been instituted by the petitioner-wife seeking transfer of various proceedings pending at Hyderabad to Mumbai.

2. Having heard the counsel for the petitioner as well as for the respondents and keeping in view the fact that the Divorce Petition instituted by the petitioner's husband at Hyderabad had been transferred by this Court to Mumbai, we deem it appropriate to allow the transfer petitions. Accordingly, we direct that the cases, namely, (i) O.S. No. 1954/2002 titled as Vineeth Sethia v. Sippy Jay Sethia, pending in the Court of VIII Additional Senior Civil Judge,

City Civil Court, Hyderabad, (ii) Criminal Case being CC No.

1442/2003 titled as Vineeth Sethia v. Nirmal Mohanlal

Patwari & Ors. pending in the Court of XXIII Metropolitan

Magistrate, City Criminal Courts Nampally, Hyderabad, (iii)

Criminal Case being CC No. 546/2004 titled as Rajula

Sisodiya v. Nirmal Mohanlal Patwari & Ors. pending in the

Court of XVI Metropolitan Magistrate, City Criminal Courts

Nampally Hyderabad, (iv) Criminal Case being CC No.

431/2003 titled as Kannaiah Lal Sethia v. Nirmal Mohanlal

Patwari & Ors. pending in the Court of V Metropolitan

Magistrate, City Criminal Courts Nampally Hyderabad, and

(v) Criminal Case being CC No. 5/2004 titled as Reshmi

Begwani v. Nirmal Mohanlal Patwari & Ors. pending in

the Court of V Metropolitan Magistrate, City Criminal

Courts Nampally Hyderabad, be transferred to a Court of

competent jurisdiction at Mumbai.

3. The concerned courts at Hyderabad shall transmit

forthwith the entire record of the aforesaid cases to the transferee court to enable it to proceed therewith and decide the same in accordance with law.

4. The transferee Court shall, on receipt of the case record, proceed therewith and decide the same in accordance with law.

5. The Transfer Petitions stand allowed accordingly.

.....J.

(ASHOK BHAN)

New Delhi;

.....J.

April 27, 2007.

(V.S. SIRPURKAR)