

ITEM NO.53

COURT NO.7

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 (CRL.) NO(s). 266 OF 2009

TANAAYA GEMS & JEWELLERY EXP.LTD.& ORS. Petitioner(s)

VERSUS

RRB ENERGY LTD. Respondent(s)

(With appln(s) for stay,permission to file additional documents)

WITH T.P.(CRL) NO. 267 of 2009

(With appln(s) for stay,permission to file additional documents and office report)

Date: 26/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. L.N.Rao, Sr. Adv.
Mr. Raghenth Basant, Adv.
Ms. Liz Mathew,Adv.

For Respondent(s) Mr. K.T.S.Tulsi, Sr. Adv.
Mr. I.Ghosh, Adv.
Ms. Sangeeta Mandal, Adv.
Ms. Shruti Chaudhary, Adv.
Ms. Swati Sinha, Adv.for
M/S Fox Mandal & Co.

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

The Transfer Petitions are allowed in terms of the signed order.

(Parveen Kr. Chawla) (Indu Satiya)
Court Master Court Master

[signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(CRL.) NO.266 OF 2009

Tanaaya Gems & Jewellery
Exports Ltd. & Others ..Petitioners

versus

RRB Energy Limited ..Respondent

WITH

TRANSFER PETITION(CRL.) NO.267 OF 2009

O R D E R

Heard learned counsel for the parties.

These Transfer Petitions have been filed praying for transfer of CC Nos. 4407 and 4408 of 2009 instituted under Section 138 of the Negotiable Instruments Act, 1881, pending before the Court of XXIII Metropolitan Magistrate, Saidapet, Chennai to the Metropolitan Magistrate, Girgaum, Mumbai.

With the consent of the parties, we transfer the aforesaid cases to the District Judge, Girgaum, Mumbai who on receipt of the record in both the cases will assign them to an appropriate court to try them. The transferor Court is directed to forthwith transmit the entire record related to the aforesaid two cases to the transferee Court.

We make it clear that all questions of law and facts

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are kept open to both the parties to be raised before the Court at Mumbai which shall try both the complaints. We direct the concerned Court to expedite the trial in the matter.

The Transfer Petitions are allowed accordingly.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
APRIL 26, 2010

.....J.
[A.K. PATNAIK]