

No one has entered appearance on behalf of the respondent despite service of notice.

This petition has been filed by the petitioner seeking transfer of Case No. 4083/2008 (under Section 138 of the N.I. Act) titled as "Magma Shrachi Finance Ltd. Vs. Sampuran Kaur" pending in the Court of Metropolitan Magistrate, 8th Court, Kolkata to the Court of competent jurisdiction at Joginder Nagar, Mandi, Himachal Pradesh".

On the facts and circumstances of the case, we are satisfied that this is a fit case for transfer. Accordingly, we allow this petition and direct transfer of proceedings in Case No. 4083/2008 to the District Judge, Mandi, Himachal Pradesh.

The transferee court shall soon on communication of this order transfer the record of Case No. 4083/2008 (Under Section 138 of the N.I. Act) titled "Magma Shrachi Finance Ltd. Vs. Sampuran Kaur" to the District Judge, Mandi, Himachal Pradesh. The District Judge, Mandi may either try the case himself or makeover the same to a court of competent jurisdiction for trial in accordance with law.

The transfer petition is allowed.

.....J.
(M A R K A N D E Y K A T J U)

.....J
(V.S. S I R P U R K A R)

New Delhi,
May 12, 2009