

IN THE SUPREME COURT OF INDIA
CRIMINAL/CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO.436 OF 2010

OUTLOOK PUBLISHING INDIA PVT. LTD. ..PETITIONER(S)

VERSUS

SAHARA INDIA COMMERCIAL CORPORATION
LTD. AND ORS. ..RESPONDENT(S)

WITH

TRANSFER PETITION (C) NO.943 OF 2010

O R D E R

1. These Transfer Petitions are filed by the petitioner (i) under Section 406 of the Code of Criminal Procedure, 1973 for transfer of Complaint Case No.554 (C) of 2010 under Sections 500/501/501 read with Section 34, 120-B of the Indian Penal Code (titled as "Sahara India Commercial Corpn. Ltd. & Anr. vs. John Samuel Raja D. & Ors."), pending before the Court of Additional Chief Judicial Magistrate, Barh, Patna, Bihar to the Court of Chief Judicial Magistrate, Mumbai; and (ii) under Section 25 of the Code of Civil Procedure seeking transfer of Civil Suit being T.S.No.2438 of 2010, pending before the

7th Civil Judge, Senior Division, Alipore, Calcutta (titled as "Sahara Prime City Ltd. vs. Outlook Publishing India Pvt. Ltd. & Ors."), to the Civil Court of competent jurisdiction at Mumbai.

2. We have heard the learned counsel for the parties to the *lis*.

3. In the facts and circumstances of the case and keeping in view the grounds urged in the transfer petitions, we deem it appropriate to allow these transfer petitions.

4. Accordingly, as agreed to between the parties, we order for transfer of Complaint Case No.554(C) of 2010 under Sections 500/501/501 read with Section 34, 120-B of the Indian Penal Code (titled as "Sahara India Commercial Corpn. Ltd. & Anr. vs. John Samuel Raja D. & Ors."). pending before the Court of Additional Chief Judicial Magistrate, Barh, Patna, Bihar to the Court of Chief Judicial Magistrate at Delhi; and (ii) under Section 25 of the Code of Civil Procedure seeking transfer of Civil Suit being T.S.No.2438 of 2010, pending before the 7th Civil Judge, Senior Division, Alipore, Calcutta (titled

as {"Sahara Prime City Ltd. vs. Outlook Publishing India Pvt. Ltd. & Ors."} and also (iii) A.S.T. No.555 of 2010 with A.S.T.No.217 of 2010, both pending before the High Court at Calcutta, to the Court of competent jurisdiction at Delhi.

5. The Transfer Petitions are allowed accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(S.A. BOBDE)

.....J.
(ARUN MISHRA)

NEW DELHI;
APRIL 30, 2015

ITEM NO.19

COURT NO.1

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s) (Criminal) No(s). 436/2010

OUTLOOK PUBLISHING INDIA P.LTD.

Petitioner(s)

VERSUS

SAHARA INDIA COMMERL.CORP.LTD. & ORS.
(with appln. (s) for stay and office report)

Respondent(s)

WITH T.P.(C) No. 943/2010
(With Office Report)

Date : 30/04/2015 These petitions were called on for hearing
today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr.Anoop J.Bhambani, Sr.Adv.
Mr.Ankur Saigal, Adv.
Mr.Mahesh Agarwal, Adv.
Mr. E. C. Agrawala, Adv.

For Respondent(s) Mr.Aarohi Bhalla, Adv.
Mr.P.Chaitanyashil, Adv.
Mr.Keshav Mohan, Adv.
Mr.Simranjeet Singh, Adv.
Mr.Gautam Talukdar, Adv.
Mr.Rohan Ahuja, Adv.
Mr.Rahul Tripathi, Adv.
Ms. Sujata Kurdukar, Adv.

Ms. Garima Prashad, Adv.

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

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

(G.V.Ramana)
AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar