

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. 569 OF 2016
BAJAJ AUTO LTD. AND ORS. ... Petitioners
VERSUS
RAKESH KUMAR ... Respondent

WITH
TRANSFER PETITION (CRIMINAL) NOS. 159-160 OF 2016
TRANSFER PETITION (CIVIL) NOS. 564-567 OF 2016
TRANSFER PETITION (CIVIL) NO. 647 OF 2016

O R D E R

The instant transfer petitions are filed seeking transfer of CWJC No. 16458 of 2014, pending in the High Court of Judicature at Patna to the High Court of Delhi, Criminal Revision Application No. 158 of 2014 and Complaint Case No. 15121 of 2014 from the Court of Chief Judicial Magistrate, Begusaria to the Court of Additional Chief Metropolitan Magistrate, Patiala House, New Delhi, Miscellaneous Case No. 27 of 2013, Contempt Case No. 121 of 2015, Miscellaneous Case No. 11 of 2015, Civil Miscellaneous Appeal No. 7 of 2015 from the Court of Sub-Judge V, Begusarai/District Judge, Begusaria, to District Court, Patiala House, New Delhi, Title Suit No. 97 of 2016 pending before 1st

Court of Sub Judge, Begusarai, to District Court, Patiala House, New Delhi. Having heard learned counsel for the parties, we deem it fit and proper to allow the transfer petitions.

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T.P.(C) No. 569/ 2016 etc.

At this stage, we may note that Suit No. 588 of 2013 was transferred to Patiala House Courts, New Delhi, on an earlier occasion by the order of this Court. However, we find that in the said Suit, claim preferred by the respondent herein is in the sum of Rs. 20 crores and, therefore, it is the High Court of Delhi which will have the pecuniary jurisdiction to entertain the suit. Accordingly, earlier order is modified and Suit No. 588 of 2013 stands transferred to High Court of Delhi, New Delhi. Suit No. 464 of 2013 has already been transferred to Patiala House Courts, New Delhi. Since Suit No. 464 of 2013 is connected with Suit No. 588 of 2013, it is directed that Suit No. 464 of 2013 shall also be tried and adjudicated by the High Court of Delhi along with Suit No. 588 of 2013. All the proceedings transfer whereof is sought for emanate from Suit No. 464 of 2013, and, accordingly, all these proceedings also stand transferred to the High Court of Delhi to be tried along with Suit No. 464 of 2013 and Suit No. 588 of 2013.

The transfer petitions are, accordingly, allowed.

....., J.

[A.K. SIKRI]

....., J.

[ASHOK BHUSHAN]

New Delhi;

February 23, 2017.

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T.P.(C) No. 569/ 2016 etc.

ITEM NO.46

COURT NO.8

SECTION XVI

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) Nos. 28005-28006/2015 (Arising out of impugned final judgment and order dated 11/08/2015 in CWJC No. 20630/2014 and CWJC No. 9231/2014 passed by the High Court Of Patna)

BAJAJ AUTO LTD. AND ORS. ETC

Petitioner(s)

VERSUS

RAKESH KUMAR ETC

Respondent(s)

(With appln. (s) for stay, interim relief and office report)

WITH

T.P.(C) No. 569/2016

(With appln.(s) for stay and Office Report)

T.P.(Crl.) No. 159-160/2016

(With appln.(s) for stay and Office Report)

T.P.(C) No. 564-567/2016

(With appln.(s) for stay, permission to file additional documents and Office Report)

T.P.(C) No. 647/2016

(With appln.(s) for stay and Office Report)

Date : 23/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Dr. A. M. Singhvi, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Ankur Saigal, Adv.

Mr. Rishabh Parikh, Adv.

Mr. Satyendra Kumar, Adv.

Mr. Navjot Singh, Adv.

Mr. E. C. Agrawala, Adv.

For Respondent(s)

Mr. Abhay Kumar, Adv.

Mr. Saurabh Mishra, Adv.

Mr. Himanshu, Adv.

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T.P.(C) No. 569/ 2016 etc.

Mr. Gopal Singh, Adv.

Ms. Varsha Poddar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The special leave petitions stand disposed of as having become infructuous.

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

(Nidhi Ahuja)

(Mala Kumari Sharma)

Court Master Court Master

[Signed order is placed on the file.]

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