

ITEM NO.7

COURT NO.15

SECTION XVI-A

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

Miscellaneous Application No.511/2023 in T.P.(C) No.3033/2022

(Arising out of impugned final judgment and order dated 06-02-2023 in T.P.(C) No. No. 3033/2022 passed by the Supreme Court Of India)

LISNA SURESH

Petitioner(s)

VERSUS

SANDEEP SURESH

Respondent(s)

IA No. 51630/2023 - RECALLING THE COURTS ORDER)

Date : 21-04-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Ms. M. Venmani, AOR

Mr. P V Dinesh, Adv.  
Mr. P. S. Sudheer, AOR  
Ms. Nida K, Adv.

For Respondent(s) Mr. Abdulla Naseeh V. T

UPON hearing the counsel the Court made the following

O R D E R

Heard Ms. M. Venmani, learned counsel appearing for the applicant. Also heard Mr. Abdulla Naseeh V. T., learned Counsel appearing for the respondent (transfer petitioner).

The summons issued by this Court on 11.01.2023 reflected 24.02.2023 as the date fixed for hearing of the Transfer

Petition. But well before the notified date, the case was listed on 06.02.2023 and in the absence of the respondent's counsel the case was allowed in favour of the transfer petitioner.

The learned counsel for the petitioner submits that after receipt of the summons, a counsel was instructed to appear on the scheduled date i.e., 24.02.2023 but since the case was taken up before that date, no representation could be made on behalf of the respondent.

Taking note of the above, the I.A No.51630/2023 stands allowed and the order dated 06.02.2023 stands recalled. Consequently, the Transfer Petition(Civil) No.3033/2022 is restored to its original number and the matter be listed on 08.05.2023.

The Miscellaneous Application is disposed of.

In the meantime, the respondent may file counter affidavit in the Transfer Petition.

(DEEPAK JOSHI)  
COURT MASTER (SH)

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR