XITEM NO.13 COURT NO.11 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 (CIVIL.) NO(s). 83-85 OF 2010 [FOR PREL. HEARING]

BALDEV RAJ SAINDITTAMAL NAGPAL Petitioner(s)

VERSUS

DABHANE SANTOSH MARUTI & ANR. Respondent(s)

Date: 08/02/2010 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Anil Nag,Adv.
Mr. S.C. Juneja, Adv.

For Respondent(s)

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

These petitions have been filed for transfer of Motor Accident Claim Application Nos.1983-1985/2001 titled Sh. Baldev Raj Nagpal vs. Dabhane Santosh Maruti and others, pending before the Motor Accident Claims Tribunal, Mumbai (for short, 'the Tribunal').

We have heard learned counsel for the petitioner and perused the record. Since the applications of which transfer has been sought were instituted by none other than the petitioner himself and the same have remained pending before the Tribunal at Mumbai for almost nine years, we do not find any valid ground or justification to transfer the same to Delhi more so because the entire evidence relating to the occurrence in which three members of the petitioner's family died, is available in Mangaon, District Raigad within the State of Maharashtra.

The transfer petitions are dismissed. However, keeping in view the fact that the matters have remained pending for last nine years, we direct the Tribunal to dispose of the same as early as possible, but latest by the end of the year 2010.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master