

(2008) 12 SC CK 0016

In the Supreme Court Of India

Case No : Transfer Petition (C) No. 406 of 2008

Reliance Venture Ltd.

APPELLANT

Vs

O.D. Properties P. Ltd. and Others

RESPONDENT

Date of Decision : 03-12-2008

Acts Referred:

Constitution of India, 1950 — Article 139A(1), 32

Citation : (2009) 17 SCC 382

Hon'ble Judges : Tarun Chatterjee, J;G. S. Singhvi, J

Bench : Division Bench

Advocate : Harish N. Salve, K.R. Sasiprabhu and R. Chandrachud, for the Appellant; Ravindra Bana, for the Respondent

Final Decision : Allowed

Judgement

1. By the present petition in this Court under Article 139A(1) of the Constitution of India, the petitioners are seeking transfer of Civil Writ Petition No. 4417 of 2006 (O.D. Properties Pvt. Ltd. and Anr. v. State of Haryana and Ors.) now pending before the High Court of Punjab and Haryana at Chandigarh to this Court on the ground that on similar issues, namely, Writ Petition (C) No. 537 of 2006 (Kuldeep Singh Bishnoi v. Union of India and Ors.) is pending decision before this Court under Article 32 of the Constitution of India. It also appears that on similar issues, a Bench of this Court on 21st of October, 2008 have already transferred W.P. (C) No. 8814 of 2007 (Gram Panchayat Gharauli Khurd and Ors. v. Union of India and Ors.), Writ Petition No. 14049 of 2006 (Ajay Singh Chautala and Anr. v. Union of India and Ors.) and Writ Petition No. 10704 of 2007 (Jagdish Kumar Wadhwa v. State of Haryana and Ors.) to this Court which were pending in the High Court of Punjab and Haryana. Similarly, another PIL Writ Petition No. 74 of 2007 (Megnath Nathuram Patil and Ors. v. The Development Commissioner and Ors.) which was also pending in the High Court of Bombay has already been transferred to this Court for final adjudication by the aforesaid order of a Bench of this Court passed on 21st of October, 2008.

2. Considering the above order of this Court and considering that similar issues are to be decided in this matter, the case being W.P. (C) No. 4417 of 2006 now pending before the High Court of Punjab & Haryana at Chandigarh should also be transferred to this Court. Accordingly, the application for transfer is allowed and the abovementioned Writ Petition (C) 4417 of 2006 stands transferred to this Court.

3. List all the Writ Petitions for directions in the second week of January, 2009. In the meantime, counter affidavit, if any, shall be filed within four weeks. Rejoinder to be filed within two weeks thereafter.