

ITEM NO.38+57

COURT NO.8

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s).  
10626-10627/2017

(Arising out of impugned final judgment and order dated 29/03/2017  
in SCA No. 18637/2015 29/03/2017 in LPA No. 464/2015 29/03/2017 in  
SCA No. 5400/2014 passed by the High Court Of Gujarat At Ahmedabad)

ASHITA NILESH PATEL AND ANR

Petitioner(s)

VERSUS

DEPUTY SECRETARY, HOME DEPARTMENT AND ORS

Respondent(s)

(WITH APPLN. (S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT AND INTERIM RELIEF AND OFFICE REPORT)

WITH

SLP(C)Nos.11576-11677/2017 (WITH INTERIM RELIEF AND OFFICE REPORT)

SLP(C) NOS. 11427-11428/2017 (WITH INTERIM RELIEF AND OFFICER EPORT)

Date : 17/04/2017 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) Mr. Kapil Sibal, Sr. Adv.  
Mr. Shekhar Naphade, Sr. Adv.  
Mr. Mihir Joshi, Sr. Adv.  
Ms. Meenakshi Arora, Sr. Adv.  
Mr. Nandish C., Adv.  
Mr. Shamik Sanjanwala, Adv.  
Mr. R. Patel, Adv.  
Mr. Sunil Kaundal, Adv.  
Mr. Ranjeet Singh, Adv.  
Mr. K. V. Sreekumar, Adv.

For Respondent(s) Mr. Ranjan Kumar Pandey, Adv.  
Mr. Sandeep Bisht, Adv.  
Mr. Anshuman Bhadur, Adv.

Mr. Arujun Seth, Adv.  
Ms. Surbhi Mehta, Adv.

Mr. Nishant Katyneshwarkar, Adv.  
Mr. Arpit Rai, Adv.

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

The High Court has, *inter alia*, rejected the petition filed by the petitioners on the principle of forum conveniens holding that the designated Judge in the High Court of Bombay under the Maharashtra Protection of Interest of Depositors (in Financial Establishment) Act, 1999 would be more appropriate forum. We do not see any reason to interfere with this order. It is submitted that the petitioners have raised the issue of jurisdiction before the High Court of Gujarat viz. the petitioners are not the financial establishment. Since the notifications dated 12.03.2015 and 22.06.2015 issued by the Government of Maharashtra are challenged on this ground, it would be open to the petitioners to raise this issue before the High Court of Bombay. We also make it clear that any observations made by the Gujarat High Court in the impugned order on merits of the case shall not come in the way of the petitioners and the concerned court shall decide the matter on its own merits.

With the aforesaid observations these special leave petitions are dismissed.

Pending application(s), if any, stands disposed of accordingly.

(Ashwani Thakur)  
COURT MASTER

(Mala Kumari Sharma)  
COURT MASTER