

ITEM NO.8

Virtual Court 9

SECTION XVI-A

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

Transfer Petition(s)(Criminal) No(s). 179/2020

RAJENDRA PRASAD JAYASAWAL

Petitioner(s)

VERSUS

THE STATE OF ARUNACHAL PRADESH

Respondent(s)

(FOR ADMISSION and IA No.52800/2020-EXEMPTION FROM FILING AFFIDAVIT
and IA No.52799/2020-EXTENSION OF EX-PARTY STAY

Date : 15-06-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr.S.R.Singh, Adv.
Mr. Ankur Yadav, AOR

For Respondent(s)

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

Heard Mr.S.R.Singh, learned counsel appearing for the petitioner.

The petitioner is facing prosecution in a Criminal case pending before the court of Chief Judicial Magistrate, Capital Complex at Yupia, Papumpare District, Arunachal Pradesh. The case pertains to the alleged fake MBBS degree furnished by the petitioner to the Arunachal Pradesh Medical Council, for registration of the said degree.

Learned counsel for the petitioner Mr.S.R.Singh submits that the petitioner is a Hindi knowing person and therefore, he will have difficulty in conducting the case in Arunachal Pradesh. He then submits that the petitioner is from U.P. and he will not be able to afford in litigation cost and travel difficulties to Arunachal Pradesh, as he is a poor person.

The above submission have been considered. In the State of Arunachal Pradesh the commonly spoken and understood language is Hindi and therefore, language cannot be barrier for a Hindi speaking person.

Undoubtedly, the Arunachal Pradesh is at some distance from U.P. but then it is petitioner himself who had applied for registration of his MBBS degree, from the Arunachal Pradesh Medical Council. Therefore, the appropriate jurisdiction for the present case on the genuineness or otherwise of the MBBS degree would be the court at Arunachal Pradesh.

Considering the above, this court is not inclined to entertain this Transfer Petition and the same is accordingly, dismissed.

(SUSHMA KUMARI BAJAJ)
SENIOR PERSONAL ASSISTANT

(RAJ RANI NEGI)
ASSISTANT REGISTRAR