

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NOS.662-667 OF 2017

HINDUSTAN PETROLEUM CORPORATION LTD ETC. Petitioner(s)

VERSUS

DAKINI HEALTH FOODS AND ORS ETC. Respondent(s)

WITH

TRANSFER PETITION (C) No.685/2017

WITH

TRANSFER PETITION (C) No.686/2017

WITH

TRANSFER PETITION (C) No.689/2017

WITH

TRANSFER PETITION (C) Nos.693-694/2017

WITH

TRANSFER PETITION (C) No.697/2017

AND

TRANSFER PETITION (C) No.698/2017

O R D E R

IN TRANSFER PETITION (C) NOS.662-667 OF 2017 :

Issue notice.

Ms. Liz Mathews, learned counsel for the respondents accepts notice in these matters.

With the consent of the parties, these Transfer Petitions are taken for final disposal.

These Transfer Petitions under Section 25 of Code of civil Procedure, 1908 read with Articles 139A(2) of the Constitution of India read with Order XLI of the Supreme Court rules, 2013 seeking the transfer of (1) Writ

Petition No. 15956 of 2017 titled "Dakini Health Foods & Ors. vs. Hindustan Petroleum Corporation Limited & Ors.," (2) Writ Petition No. 15958 of 2017 titled as "Fox Hills Cylinders Pvt. Ltd. & Anr. Vs. Hindustan Petroleum Corporation Limited & Ors.," (3) Writ Petition No. 15955 of 2017 titled as "Dakini Health Foods & Ors." Vs. Indian Oil Corporation Limited & Ors., (4) Writ Petition No. 15959 of 2017 titled as "Fox Hills Cylinders Pvt. Ltd. & Anr. Vs. Indian Oil Corporation Limited & Ors.," (5) Writ Petition No. 15957 of 2017 titled as "Dakini Health Foods & Ors. vs. Bharat Petroleum Corporation Limited & Ors.," (6) Writ Petition No. 15960 of 2017 titled as "Fox Hill Cylinders Pvt. Ltd. & Anr. vs. Bharat Petroleum Corporation Limited & Ors." pending before the High Court of Judicature at Allahabad to High Court of Delhi is justified and is fit to be allowed.

We order accordingly.

Let the records of the case be transferred without delay.

The Transfer Petitions are allowed in the afore-stated terms.

IN TRANSFER PETITION (C) No. 685/2017

WITH

TRANSFER PETITION (C) No. 689/2017

AND

TRANSFER PETITION (C) No. 697/2017

[Since respondents in all these petitions are common and they are represented by the learned counsel in one of the petitions i.e. TP(C)No. 689 of 2017, we hereby allow and transfer these three cases.]

Having heard the learned counsel for the petitioners and gone through this transfer petitions filed by the petitioners under Section 25 of the Code of Civil Procedure, 1908, read with Articles 139 A(2) of the Constitution of India read with Order XLI of the Supreme Court Rules, 2013 and considering the facts and circumstances of the case, we deem it fit and proper to transfer Writ Petition (L) No. 1071 of 2017 titled as "Vandana Kishor Kela & Ors. vs. Union of India & Ors." Pending before the High Court of Judicature at Bombay to the High Court of Delhi at New Delhi.

We order accordingly.

The transfer petitions are, accordingly, allowed.

The Registry is directed to immediately transmit a copy of this order to both the Courts.

IN TRANSFER PETITION (C) No.686 OF 2017:

Issue notice.

There shall be stay of further proceedings in S.B. Writ Petition ((C) No. 5581 of 2017 titled as M/s Rajasthan Cylinders and Containers Ltd vs. Union of India & Anr. pending before the High Court of Judicature for Rajasthan

Bench at Jaipur.

Dasti service, in addition, is permitted.

IN TRANSFER PETITION (C) Nos. 693-694 OF 2017 :

Issue notice.

There shall be stay of further proceedings in Writ Petition (C)Nos.7682 of 2017 titled "Daya Industries & Ors. Vs. Union of India & Anr." and 7685 of 2017 titled "Daya Industries & Ors. V. Union of India & Anr." pending before the High Court of Punjab & Haryana at Chandigarh.

Dasti service, in addition, is permitted.

IN TRANSFER PETITION (C) No.698 OF 2017 :

Issue notice.

There shall be stay of further proceedings in Writ Petition (C) Nos.7873 of 2017 titled "M/s Krishna Cylinders Vs. Union of India & Anr." pending before the High Court of Punjab & Haryana at Chandigarh.

Dasti service, in addition, is permitted.

.....J
(ARUN MISHRA)

.....J
(AMITAVA ROY)

NEW DELHI;
APRIL 24,2017

ITEM NO.59

COURT NO.11

SECTION XVIA

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) (Civil) No(s).662-667/2017

HINDUSTAN PETROLEUM CORPORATION LTD ETC.

Petitioner(s)

VERSUS

DAKINI HEALTH FOODS AND ORS ETC.

Respondent(s)

(With appln. (s) for ex-parte stay and office report)

WITH

T.P.(C) No. 685/2017

(With appln for stay and Office Report)

T.P.(C) No. 686/2017

(With appln for ex-Parte stay and Office Report)

T.P.(C) No. 689/2017

(With appln for stay and Office Report)

T.P.(C) No. 693-694/2017

(With appln for ex-Parte stay and Office Report)

T.P.(C) No. 697/2017

(With appln for stay and Office Report)

T.P.(C) No. 698/2017

(With appln for ex-Parte stay and Office Report)

Date : 24/04/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Tushar Mehta, Adv.
 Mr. Sanjay Kapur, Adv.
 Ms. Priyanka Das, Adv.
 Ms. Megha Karnwal, Adv.
 Ms. Shubhra Kapur, Adv.
 Mr. Sanjay Kapur, Adv.

For Respondent(s) Mr. Giriraj Subramaniam, Adv.
 Mr. Simarpal Singh Sawhney, Adv.
 Ms. Liz Mathew, Adv.

Mr. Naushad Ahmed Khan, Adv.
Mr. Syed Rehan, Adv.
Mr. Tanweer Ahmad Khan, Adv.

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

T.P. (C) No(s) .662-667/2017

Issue notice.

Ms. Liz Mathews, learned counsel for the respondents accepts notice in these matters.

T.P. (C) No. 685 of 2017

T.P. (C) No. 689 of 2017

T.P. (C) No. 697 of 2017

Issue Notice.

Mr. Naushad Ahmed Khan, learned counsel for the respondent in T.P.(C) No. 689 of 2017 accepts notice.

The transfer petitions are allowed in terms of the signed order.

IN TRANSFER PETITION (C) No.686 OF 2017:

Issue notice.

There shall be stay of further proceedings in S.B. Writ Petition ((C) No. 5581 of 2017 titled as M/s Rajasthan Cylinders and Containers Ltd vs. Union of India & Anr. pending before the High Court of Judicature for Rajasthan Bench at Jaipur.

Dasti service, in addition, is permitted.

IN TRANSFER PETITION (C) Nos. 693-694 OF 2017 :

Issue notice.

There shall be stay of further proceedings in Writ Petition (C)Nos.7682 of 2017 titled "Daya Industries & Ors. Vs. Union of India & Anr." and 7685 of 2017 titled "Daya

Industries & Ors. V. Union of India & Anr." pending before the High Court of Punjab & Haryana at Chandigarh.

Dasti service, in addition, is permitted.

IN TRANSFER PETITION (C) No.698 OF 2017 :

Issue notice.

There shall be stay of further proceedings in Writ Petition (C) Nos.7873 of 2017 titled "M/s Krishna Cylinders Vs. Union of India & Anr." pending before the High Court of Punjab & Haryana at Chandigarh.

Dasti service, in addition, is permitted.

TRANSFER PETITION (C) Nos.686/2017, 693-694/2017 and 698/2017:

List these matters on Monday i.e. 1.5.2017.

(B.Parvathi)
Court Master

(Tapan Kr. Chakraborty)
Court Master

(Signed order is placed on the file)