

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.1752/2023

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

M/S BIRLA CORPORATION LIMITED

Respondent(s)

O R D E R

The petitioners have filed this transfer petition under Article 139A (1) of the Constitution of India read with Order XL of the Supreme Court Rules, 2013 seeking the following reliefs:

- "a) Allow the present petition and transfer S.B. Civil Writ Petition No. 17593 of 2018 pending consideration before the Rajasthan High Court at Jodhpur to this Hon'ble Court Supreme Court of India under Article 139A of the Constitution; and hear with other connected matters pending before this Hon'ble Court i.e. SLP(C) No. 34872 of 2014 and cases arising out of Transfer Petition (C) No. 257-266 of 2014 & 877-881 of 2014; and
- b) Direct the High Court of Rajasthan and other High Courts to await the final verdict of this Hon'ble Court on substantial question of law involved in the present matter before entertaining any fresh petitions or giving any decision on the same/similar issue; and
- c) Pass such further order(s) as may deem fit and proper in the facts and circumstances of the case."

We have heard learned counsel for the petitioner and learned counsel for the respondent.

Contd..

Merely because a matter is pending before this Court in which there has been an interim order of stay granted, we do not think that could be a reason for transferring the aforesaid petition, which is pending on the file of the Rajasthan High Court at Jodhpur, to this Court for adjudication.

It is needless to observe that the High Court would consider all aspects of the matter and adjudicate the same in accordance with law.

In the circumstances, the Transfer Petition stands dismissed.

Pending application(s) shall stand disposed of.

.....J.  
( B.V. NAGARATHNA )

.....J.  
(NONGMEIKAPAM KOTISWAR SINGH)

NEW DELHI  
NOVEMBER 27, 2024

ITEM NO.1

COURT NO.8

SECTION XV

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). 1752/2023

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

M/S BIRLA CORPORATION LIMITED

Respondent(s)

(IA No. 138157/2023 - EX-PARTE STAY)

Date : 27-11-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. N. Venkataraman, A.S.G.  
Mr. Sudarshan Lamba, AOR  
Mr. V.C Bharathi, Adv.  
Mr. Ashok Panigrahi, Adv.  
Mr. Devashish Bharukha, Adv.  
Mr. Manish Pushkarna, Adv.  
Mr. Shashank Bajpai, Adv.  
Mr. Ashish K. Tiwari, Adv.  
Mr. Prashant Singh-(ii), Adv.

For Respondent(s) Mr. Vivek Sharma, AOR  
Ms. Saumya Mehrotra, Adv.

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

The Transfer Petition stands dismissed in terms of  
the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)  
COURT MASTER (NSH)

(Signed order is placed on the file)