

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 (CIVIL) Diary No(s). 12951/2023

DUDEKULA BASHA & ORS.

Petitioner(s)

VERSUS

SHAIK JEELANI BASHA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.85650/2023-EX-PARTE STAY and IA
No.85646/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 02-05-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Animesh Dubey, Adv.
Mr. C.B.Gururaj, Adv.
Mr. Pramit Chhetri, Adv.
Mr. Prakash Ranjan Nayak, AOR

For Respondent(s)

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

Permission granted.

We have heard Mr. Animesh Dubey, learned counsel appearing for the petitioners, who are the parents in-law and sister in-law of the accident victim-Firoza.

In the motor accident on 29.12.2020, S.K. Firoza @ Firoja Shaik who was driving scooter with her husband riding pillion, died when the car driven by the third respondent hit the scooter and eventually both seriously injured scooter riders died at VIMS Hospital Bellari. An FIR was registered on the accident, at P.S. Kuduthini within Bellari District.

The petitioners had filed claim petition under the provisions of the Motor Vehicles Act and the proceedings are at an advance stage before Motor Accident Claims Tribunal, Bellari. The parents of the deceased Firoza has also filed claim i.e. MVOP NO.598/2021 before the MACT, Nellore, Andhra Pradesh, and the said proceedings based on the same accident are pending at Nellore.

The petitioners' counsel would submit that since the accident had taken place within the jurisdiction of MACT, Bellari, where the proceedings are at an advanced stage, it would be proper if the proceedings pending at MACT, Nellore, are transferred to MACT, Bellari, for analogous consideration of both claims.

Issue notice, returnable within four weeks.

In the meantime, there shall be stay of proceedings in MVOP NO.598/2021 titled as "Shaik Jeelani Basha and Anr. vs. S. Rajesh Kumar Jain & Ors." pending before the Motor Accident Claims Tribunal, Nellore, Andhra Pradesh.

(MAHABIR SINGH)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR