

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER CASE (CIVIL.) NO. 13 OF 2003

P. KUMAR

Petitioner(s)

VERSUS

U.O.I & ORS.

Respondent(s)

(With office report)

WITH

T.C.(C) NO. 14 of 2003,T.C.(C) NO. 15 of 2003

T.C.(C) NO. 16 of 2003,T.C.(C) NO. 17 of 2003

T.C.(C) NO. 27 of 2003,T.C.(C) NO. 53 of 2003

T.C.(C) NO. 61 of 2003

Date: 05/02/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s)/ Mr. Surya Kant, Adv.

Respondent(s) Mr. S.K. Verma, Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. S. Vallinayagam, Adv.

Mr. K. Radhakrishnan, Sr. Adv.

Mr. T.a. Khan, Adv.

For Mr. B.K. Prasad, Adv.

Mr. P. Parmeswaran,Adv.(N.P.)

Mrs. Hemantika Wahi, Adv.

Ms. Mamta Tushir, Adv.

Mr. N. Ganpathy, Adv.

Mr. Sanjay R. Hegde, Adv.

Mrs. Revathy Raghavan, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer cases are disposed of in terms of

the signed order.

(R.K. Dhawan)
Court Master

(Veera Verma)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER CASE NO.13 OF 2003

P. KUMAR

...PETITIONER.

VERSUS

U.O.I. & ORS.

...RESPONDENTS.

WITH
TRANSFER CASE NOS.13, 14,15,16,17,
27,53 AND 61 OF 2003

ORDER

T.C.(C) NO.13/2003

The writ petition filed before the High Court was transferred to this Court. The writ petition was filed by one P.Kumar in the Delhi High Court seeking direction to extend to the Judges of the High Court while travelling by air on leave travel concession by executive class and reimbursement be allowed in accordance with the traveling allowance rules. As on date the prayer sought for has become infructuous.

The transfer case is disposed of accordingly.

T.C.(C) NO.14/2003

The writ petition was filed by a public Registered Trust in the High

Court of Gujarat. The petitioner prays that the house rent allowance being paid to the judges of the Gujarat

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High Court being varied and also seeks to strike down the orders issued by the State Government regarding the allotment of land to the Judges of the High Court in Ahmedabad at concessional rates.

As regards house rent allowance the same is governed by the Conditions of Service of the Judges Act. Neither the petitioner nor his counsel is present in Court. Without expressing anything on merits and the points raised, the transfer case is disposed of accordingly.

T.C.(C) NO.15/2003

Adjourned. Permitted to file counter affidavit, if any.

T.C.(C) NO.16/2003

The writ petition was filed before the High Court of Karnataka. The main prayer in the writ petition is that the judge who is transferred to another High Court should be ensured of official residence at the transferee place. Prayer is restricted to some of the judges who have been transferred to the High Court of Karnataka. We do not think that any of the prayer made in the writ petition survive for consideration.

The transfer case is disposed of accordingly.

T.C.(C) NO.17/2003

Neither the petitioner nor his counsel is present. The writ petition

was filed before the High Court of Allahabad. The petitioner is an advocate practicing in the High Court of

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Allahabad. He prays that appropriate orders be passed directing revision of salary of Judges of the High Court. The salary of Judges of the High Courts have been recently revised. We do not think anything survives for consideration.

The transfer case is disposed of accordingly.

T.C.(C) NO.27/2003

The writ petition was filed before the High Court of Bombay where the petitioner prays that the special Judge who are dealing with cases regarding terrorist activities shall be insured by the State and that shall be part of the service condition. Neither petitioner nor his counsel present in the Court. The prayer sought for by the petitioner is neither feasible nor justifiable. The prayer cannot be allowed.

The transfer case is disposed of accordingly.

T.C.(C) NO.53/2003

This writ petition was filed by the Indian Association of Lawyers where it is prayed that retiral benefits of the High Court Judges should be on par with the Judges of the Supreme Court. For Judges of the High Court, there are appropriate Rules governing pension and other allowances and it cannot be equated with the retiral benefits of the Judges of the Supreme

Court. Prayer sought for in the writ petition cannot be allowed.

The transfer case is disposed of accordingly.

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T.C.(C) NO.61/2003

The petitioner herein the former Judge of the Madras High Court has filed writ petition before the High Court praying that he had undergone bypass surgery in Apollo Hospital at Chennai. He had submitted a bill for Rs.39974/- along with an application but the applicant passed away on 4.1.2007. The State had not made any effort to reimburse the amount. It is made clear that if any of his legal heirs claims with necessary details, the State Government shall consider the claim in accordance with law.

With the above direction, the transfer case is disposed of accordingly.

.....CJI
(K.G. BALAKRISHNAN)

.....J
(P. SATHASIVAM)

NEW DELHI;
FEBRUARY 5, 2009.