

PETITIONER:
SUKH DEO NARAIN

Vs.

RESPONDENT:
STATE OF RAJASTHAN

DATE OF JUDGMENT 20/07/1984

BENCH:
REDDY, O. CHINNAPPA (J)
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REDDY, O. CHINNAPPA (J)
MISRA RANGNATH

CITATION:
1984 AIR 1571 1985 SCR (1) 199
1984 SCC (4) 235 1984 SCALE (2) 61

ACT:

Supreme Court Rules 1966-Order XXXVI-A-Inserted by G.S.R. 1024 dated 19-8-1978-Application for transfer under Clause (1) of Article 139A of the Constitution-Requirements of valid petition.

Practice-Drafting and filing petition in casual and careless manner-Whether proper discharge of duty by advocate to court and client.

HEADNOTE:

A petition for withdrawing a writ petition pending in the High Court to the Supreme Court under Article 139A (1) of the Constitution mentioned nothing else except that the writ petition pending in the High Court raised exactly the same questions as those raised in a special leave petition pending in the Supreme Court. What the questions were and what the facts of the cases were was not disclosed.

Dismissing the petition,

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HELD: It is most discourteous and disrespectful to the highest court in the country to file such indifferent petitions. The advocate; is not discharging his duty either to the court or to the client. [200 C]

JUDGMENT:

ORIGINAL JURISDICTION: Transfer Petition (Civil) No. 344 of 1983.

Under article 139A of the Constitution of India for transfer of Writ Petition No. 475 of 1983 pending before the Rajasthan High Court.

D. Bhandari for the Petitioner (Not Present)

B. D. Sharma for the Respondent.

The Order of the court was delivered by

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CHINNAPPA REDDY, J. This petition is totally bereft of any statement of facts. It has been drafted and filed in a most casual and careless manner. All that is stated in the petition is that the Writ Petition pending in the Rajasthan High Court raises exactly the same questions as those raised in SLP (Civil) No. 7561/83 pending in this Court and the

writ petition may, therefore, be transferred to this Court. Nothing else is mentioned. No facts relating to either case are mentioned. Even the alleged common questions are not stated. We can only say that it is most discourteous and disrespectful to the highest court in the country to file such indifferent petitions. The advocate is not discharging his duty either to the court or to the client.

Transfer petition is dismissed.

H.S.K.
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Petition dismissed.

JUDIS