

[2022 LiveLaw \(SC\) 135](#)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

HEMANT GUPTA; V. RAMASUBRAMANIAN, JJ.

TRANSFER PETITION (CIVIL) NO(S). 967-971/2020; FEBRUARY 01, 2022

YES BANK LIMITED VERSUS 63 MOONS TECHNOLOGIES LTD. & ORS.

Transfer Petition filed seeking transfer of consumer complaints pending before Consumer fora to Bombay High Court- Dismissed - The consumer complaints are filed under the Consumer Protection Act, therefore, such consumer complaints cannot be transferred to the High Court exercising the jurisdiction under Article 226 of the Constitution of India.

Counsel for the parties Mr. Shyam Divan, Sr. Adv. Mr. Anuj Berry, Adv. Ms. Smarika Singh, Adv. Mr. Shiv Johar, Adv. Mr. Vinayak Chawla, Adv. Mr. S. S. Shroff, AOR Ankur Saigal, Adv. Ms. Neha Agarwal, Adv. Mr. E. C. Agrawala, AOR Mr. Vaibhav R. Venkatesh, Adv. Mr. Nithyaesh Natraj, Adv. Mr. Shivam Singh, Adv. Mr. Jaideep Khanna, Adv. Mr. Surendra Singh Rana, Adv. Mr. Amit, Adv. Mr. Ikshit Singhal, Adv. Mr. Jeetendra Kumar, Adv. Mr. Maneesh Saxena, Adv. Mr. Mukesh Kumar Singh, Adv. Mr. Sagar Kumar, Adv. Mr. Anbarasan Nathar Paul, Adv. Ms. Kajal Rani, Adv. M/S. Mukesh Kumar Singh And Co., AOR Ms. Liz Mathew, AOR Mr. Vivek Shetty, Adv. Mr. Nishant Upadhyay, Adv. Mr. Navneet R., Adv. Mr. Dhaval Vora, Adv. Mr. Joby P. Varghese, AOR Mr. Aby P. Varghese, Adv. Respondent-in-person Mr. Sudhir Kumar Gupta, AOR Mr. Manish Gupta, Adv. Ms. Nidhi, AOR

ORDER

T. P. (C) No. 967 of 2020

It is reported that the case sought to be transferred by way of this Transfer Petition has already been transferred to Bombay High Court. Therefore, this Transfer Petition has become infructuous. The same is, accordingly, dismissed as such.

T. P. (C) No. 968-971 of 2020

This bunch of Transfer Petitions has been filed for transfer of the following consumer complaints to the High Court of Bombay at Mumbai :-

- i) Ravinder Nath Kansal Vs. Yes Bank Ltd. & Ors., Consumer Complaint No. 228 of 2020 pending before Consumer Forum, Faridabad.
- ii) Mohan Lal Nigam Vs. Yes Bank Ltd. & Ors., Case No. 183 of 2020, pending before Kanpur Nagar District Forum.
- iii) R. K. Parashar Vs. Yes Bank Ltd., Complaint No. 171 of 2020, pending before the District Consumer Disputes Redressal Commission, Janak Puri, New Delhi (West).

iv) Smt. Khushbu Vs. Branch Manager, Yes Bank & Anr., Consumer Case No. 16 of 2021 pending before the District Consumer Disputes Redressal Commission, Roshanabad District, Haridwar, Uttarakhand.

v) Smt. Swadesh Garg Vs. Branch Manager, Yes Bank & Anr., Consumer Case No. 17 of 2021 pending before the District Consumer Disputes Redressal Commission, Roshanabad District, Haridwar, Uttarakhand.

We have heard the learned counsel appearing for the parties at some length and find that the consumer complaints are filed under the Consumer Protection Act, therefore, such consumer complaints cannot be transferred to the High Court exercising the jurisdiction under Article 226 of the Constitution of India. Consequently, the request for transfer of the consumer complaints is declined. The Transfer Petitions and the Interlocutory Applications are, accordingly, dismissed.

The Petitioner has also sought transfer of the writ petitions pending before the High Courts of Allahabad, Delhi and Madras. We request the said High Courts to await the Judgment of the Bombay High Court, who has fixed 10th February 2022 for the final hearing. The High Courts may adjourn the matters pending before it to await order of the Bombay High Court and then to proceed on merits of the writ petitions in accordance with law.

The learned counsel for the parties has assured this Court that they will cooperate with the Bombay High Court for early and expeditious disposal of the writ petitions pending before it.

Pending interlocutory application(s), if any, is/are disposed of.

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