

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 846 OF 2014

MS. X

Petitioner(s)

VERSUS

SWATANTER KUMAR & ORS.

Respondent(s)

O R D E R

In this transfer petition filed under Section 25 of the Code of Civil Procedure, 1908, the parties have arrived at an agreement. The agreement is before us.

We have heard the learned counsel for the petitioner and the learned senior counsel for the first respondent. We have also heard Mr. Anil Shrivastav, learned counsel for respondent Nos. 2 and 3, Mr. Birendra Kumar Mishra, learned counsel for respondent No. 4, Mr. Kunal Tandon, learned counsel for respondent No.5, Dr. Saif Mehmood, learned counsel for respondent No.6, Mr. A. K. Mishra, learned counsel for respondent No.7 and Mr. R. S. Chauhan, learned counsel for respondent No.8.

All the parties have agreed that the transfer petition can be disposed of in terms of the agreement. Under the agreement, one of the agreed terms is that the suit which is the subject matter of the Transfer Petition, viz., CS (OS) No. 102/2014 can be disposed of in terms of the agreement. It is also agreed that the order of injunction dated 16.01.2014 passed in the suit will stand confirmed.

There are other terms in the agreement which we do not deem it necessary to set down in the order. However, we only need to issue the following two directions: (i) All the parties shall abide by the terms of the agreement. (ii) Further, we direct that the records pertaining to the instant transfer petition (Transfer Petition (C)No. 846 of 2014) and CS(OS) No. 102/2014 filed before the High Court of Delhi including the plaint and all other pleadings, the documents, written submissions, applications etc. which formed part of the judicial record shall be kept in a sealed cover and consigned to the record room. Similarly, any record of the case before this Court shall also be consigned in the record room in a sealed cover.

CS(OS) No. 102/2014 will stand disposed of in terms of this order by which the interim order of injunction dated 16.01.2014 has been confirmed and made absolute.

In regard to paragraph No. 6 of the agreement, we make it clear that the petitioner will abide by the terms of the agreement and we reserve liberty to the parties to take steps as permissible in law for the purpose of 'take down' of any content. The transfer petition is disposed of accordingly.

Ordered as above.

....., J.  
[ K.M. JOSEPH ]

....., J.  
[ B.V. NAGARATHNA ]

New Delhi;  
March 24, 2023.

ITEM NO.1

COURT NO.3

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No. 846/2014

MS. X

Petitioner(s)

VERSUS

SWATANTER KUMAR & ORS.

Respondent(s)

[TO BE TAKEN UP AT 2.00 P.M.]

(IA No. 1/2014 - STAY APPLICATION)

Date : 24-03-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Ms. Vrinda Grover, Adv.  
Ms. Anindita Pujari, AOR  
Mr. Souatik Banerjee, Adv.

For Respondent(s)

Mr. Sidharth Luthra, Sr. Adv.  
M/S. Karanjawala & Co., AOR  
  
Mr. Anil Shrivastav, AOR  
  
Mr. Birendra Kumar Mishra, AOR  
Ms. Poonam Atey, Adv.  
Mr. Hemendra Kumar, Adv.  
Mr. Sirajuddin, Adv.  
  
Mr. Kush Chaturvedi, AOR  
  
Dr. Saif Mahmood, Adv.  
Mr. Abhinav Mukerji, AOR  
Mr. Akshay C. Shrivastava, Adv.  
  
Mr. Anil Kumar Mishra-i, AOR  
Mr. Mrinal Bharti, Adv.  
Mr. Supantha Sinha, Adv.  
Mr. Manish Shekhari, Adv.  
  
Mr. Rajesh Singh Chauhan, Adv.  
Mr. Ashok Panigrahi, Adv.  
Mr. Ishaan Sharma, Adv.  
Mr. Rajat Nair, Adv.

Mr. Amrish Kumar, Adv.

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

The transfer petition is disposed of in terms of the  
signed order.

(NIDHI AHUJA)  
AR-cum-PS

(RENU KAPOOR)  
ASSISTANT REGISTRAR

[Signed order is placed on the file.]