

SUPREME COURT OF INDIA

Goan Real Estate & Constrn.LD.

Vs.

People's Movement For Civic Action

Transfer Petition (Civil) No.758 of 2008

(K.G.Balakrishnan CJI. J.M. Panchal J.)

31.03.2010

JUDGEMENT

J.M.Panchal, J.

1. By filing this petition under Section 25 of the Code of Civil Procedure, 1908, the petitioners who are original respondent Nos.6 and 7 before the High Court in PIL Writ Petition No.403 of 2007 have prayed to transfer the proceedings of PIL Writ Petition No.403 of 2007 titled as 2 Management Authority & Ors. pending before the High Court of Judicature at Bombay, Bench at Goa, Panaji to this Court and be heard along with Special Leave Petition (Civil) No.16728 of 2008. This Court has heard the learned counsel for the parties. It may be mentioned that the petitioner had filed Writ Petition (Civil) No.329 of 2008 which has been disposed of by a separate judgment. On leave being granted in Special Leave Petition (Civil) No.16778 of 2008, Civil Appeal No.5281 of 2008 was registered. The said appeal was disposed of by judgment dated August 28, 2008 while disposing of the appeal, the petitioners were permitted to complete the incomplete construction work done by them at their own risk and cost. PIL Writ Petition No.403 of 2007 is pending before the High Court of Judicature at Bombay, Bench at Goa, Panaji since long.

2. No case is made out by the petitioners to withdraw to transfer the said writ petition to this Court and decide the same along with Special Leave Petition No.16728 of 2008.

3 Therefore, the instant application is liable to be rejected. For the foregoing reasons the application fails and rejected. There shall be no order as to costs.