

HIGH COURT OF DELHI
Sher Shah Road, New Delhi

No. _____/DHC/Gaz.IIB/G-7/2023

Date:-

From:

The Registrar General,
Delhi High Court,
New Delhi.

To

The Principal District & Sessions Judge
South-East District,
Saket Courts,
New Delhi.

Sub:- Regarding Inter-District transfer of cases

Sir,

I am directed to refer to letter dated 01.03.2017 (copy enclosed) of the then Principal District & Sessions Judge (South-East), and to inform you that Hon'ble the Chief Justice and Hon'ble Judges of this Court have been pleased to observe that there are sufficient provisions in law and other administrative decisions of this Court, communicated vide this Court's letters No. 5314-24/DHC/Gaz/G-1/2017, dated 07.11.2017, and No. 2102-2112/DHC/Gaz/G-1/2018, dated 22.04.2019, (copies enclosed), which govern inter-district transfer of cases in the District Courts.

I am therefore directed to request you to kindly deal with such matters accordingly.

Yours sincerely,

(Amit Narayan Bharthuar)
Assistant Registrar (Gaz.IIB)
for Registrar General

Encl: As above

Copy forwarded for information and necessary compliance to :-

1. The Principal District & Sessions Judge (Headquarters), Tis Hazari Courts, Delhi.
2. The Principal District & Sessions Judge, New Delhi District, Patiala House Courts, New Delhi.
3. The Principal District & Sessions Judge, North-West District, Rohini Courts, Delhi.
4. The Principal District & Sessions Judge, South District, Saket Courts, New Delhi.
5. The Principal District & Sessions Judge, South-West District, Dwarka Courts,

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE, (N/W) ROHINI COURTS, DELHI.

No. **37851-37926**

/F2(3)/Judl/N-W/RC/2023

Dated- 06.11.2023

Copy along with its enclosures, forwarded for information & necessary action, to

1. All Ld. Judicial Officers, N/W, Rohini Courts, Delhi.
2. Ld. Chief Metropolitan Magistrate, N/W, Rohini Courts, Delhi.
3. The Branch In-Charge Filing Section, N/W, Rohini Courts, Delhi.
4. The Branch In-Charge Facilitation Centre, N/W, Rohini Courts, Delhi.
5. Web-site Committee (English/Hindi), Rohini Courts, Delhi.
6. Branch In-charge, R&I Branch for uploading on LAYERS.

(VINOD YADAV)
Link Officer In-Charge,
Judicial Branch, N/W
Rohini Courts, Delhi.

HIGH COURT OF DELHI
Sher Shah Road, New Delhi

No. _____/DHC/Gaz.IIB/G-7/2023

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The Registrar General,
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South-East District,
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I am therefore directed to request you to kindly deal with such matters accordingly.

Ld. J.C. filing Br
Ld. J.C. Judl. Br

JK

P.D.S.S.J. (N.W.)
03/11/23

Yours sincerely,

/

(Amit Narayan Bharthuar)
Assistant Registrar (Gaz.IIB)
for Registrar General

Encl: As above

Copy forwarded for information and necessary compliance to :-

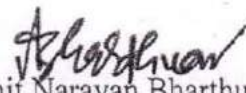
No-7649-7659/DHC/Gaz.IIB/67/23

Dated -
2/11/2023

1. The Principal District & Sessions Judge (Headquarters), Tis Hazari Courts, Delhi.
2. The Principal District & Sessions Judge, New Delhi District, Patiala House Courts, New Delhi.
3. The Principal District & Sessions Judge, North-West District, Rohini Courts, Delhi.
4. The Principal District & Sessions Judge, South District, Saket Courts, New Delhi.
5. The Principal District & Sessions Judge, South-West District, Dwarka Courts,

New Delhi.

6. The Principal District & Sessions Judge, West District, Tis Hazari Courts, Delhi.
7. The Principal District & Sessions Judge, East District, Karkardooma Courts, Delhi.
8. The Principal District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.
9. The Principal District & Sessions Judge, North-East District, Karkardooma Courts, Delhi.
10. The Principal District & Sessions Judge, North District, Rohini Courts, Delhi.
11. The Principal District & Sessions Judge-cum-Special Judge (PC Act) (CBI), Rouse Avenue Courts Complex, New Delhi.



(Amit Narayan Bharthuar)
Assistant Registrar (Gaz.IIB)

1094
01/03/2017

From:

Poonam A. Bamba
District & Sessions Judge,
South East District, Saket Courts, New Delhi

To,

The Registrar General
High Court of Delhi
New Delhi.

Subject: Inter District Transfer of case titled as
State V. Shiv Murat @ Shiva etc, SC No. 09/16,
FIR No. 47/2010, PS : Saket, U/s 3,4,5,6 & 8
of the ITP Act

Sir,

It may be respectfully submitted that the case FIR No. 47/10, PS : Kalkaji, under Section : 3,4,5,6&8 of the ITP Act, was pending before the Ld. Metropolitan Magistrate-06, South East, Saket Court, New Delhi. On the application of Enforcement Directorate under Section 44(1)(c) of the Money Laundering Act, 2002 (copy of application is enclosed herewith as Annexure-A), the Ld. MM-06, South East, Saket Courts, New Delhi, vide its order dated 03.11.2016, committed the present matter to the court of Sh. Manoj Kumar, Ld. ASJ-01, South District, Saket Courts, New Delhi, who has already taken cognizance of the department's complaint and has framed the charges against the accused persons under the Money Laundering Act. (Copy of order dated 03.11.2016 of Ld. MM-06 is enclosed herewith as Annexure-B).

497/RJ
01.3.17
GENERAL RECEIPT
High Court of Delhi
01 MAR 2017
2343
Receipt No.....

9/02.3.17
016/REG
22-17/1

10/3/17

:: 2 ::

Since, the matter involves inter-district transfer from the Ld. MM-06, South East District, Saket Courts, New Delhi, to Ld. ASJ-01, South District, Saket Courts, New Delhi, the present case was directed to be placed before the Registrar General, Hon'ble High Court of Delhi for 02.03.2017, for passing appropriate orders. (Copy of order dated 22.02.2017 is enclosed herewith as Annexure-C).

Accordingly, the record was sent to the Hon'ble High Court. However, the record was not received and it was informed vide report of the fetcher and on further inquiry from the office of the Registrar General that the file need not be sent. Only a letter in this respect be sent for placing before the Hon'ble High Court for passing necessary orders. Hence, this letter requesting for transfer of this matter from the court of Ld. MM-06, South East District, Saket Courts, New Delhi, to the court of Sh. Manoj Kumar, Ld. ASJ-01, South District, Saket Courts (now his successor is Sh. Balwant Rai Bansal, Ld. ASJ-01).

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It is therefore, requested that appropriate orders be passed in this respect to transfer the case to a court of competent jurisdiction.

Submitted.

Yours faithfully,

(Poonam A. Bamba)
District & Sessions Judge
South East District, Saket Courts
New Delhi 01.03.2017

IN THE COURT OF SH. VIKRAMT VAID LD , MM-06
SAKET DISTRICT COURTS, NEW DELHI

STATE

VERSUS

SHIV MURAT DWIVEDI AND ANR.

FIR NO. 47/2010
PS SAKET

APPLICATION UNDER SECTION 44(1)(c) OF THE
PREVENTION OF MONEY LAUNDERING ACT, 2002 TO
COMMIT THE CASE BEFORE THE HON'BLE COURT OF
SHRI MANOJ KUMAR, LD. ASJ

MOST RESPECTFULLY SHOWETH:

1. That the applicant is public servant working as an Assistant Director, Directorate of Enforcement, and is filing this application under Section 44 (1)(c) of the Prevention of Money Laundering Act (PMLA), 2002 in his official capacity to discharge his duties.
2. That, on 26.02.2010 FIR No. 47/2010 was registered by PS Saket, New Delhi, pursuant to the raid conducted near PVR Saket, wherein the accused Shri Shiv Murat Dwivedi, Shri Praveen Kumar and 6 women were apprehended from one Honda City and one Honda Civic car. FIR was registered against the above mentioned persons for commission of offences punishable under Section 4, 5 and 8 of the Immoral Trafficking (Prevention) Act (ITP Act), 1956 and the case was taken up for further investigation.
3. That after the completion of the investigation Delhi Police filed a chargesheet under section 173 Cr.P.C in FIR No. 47/2010 for offences punishable under sections 3,4,5,6 and 8 of the ITP Act, 1956 in the Court of Metropolitan Magistrate, South Saket Court, New Delhi on 24.06.2010 against the following persons:

Sh. Shiv Murat Dwivedi @ Shiva @ Rajiv @ Swamiji
Sh. Praveen Kumar
Ms. Shashi Prabha
Ms. Shalini Gautam

7076.

- (5) Ms. Seema Chakrabarty
- (6) Ms. Ashu Dube
- (7) Ms. Riya Sharma

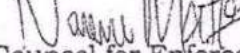
4. That the commission of the offences by the aforesaid accused persons, punishable under Section 5, 6 and 8 of the ITP Act, 1956 are covered under the Scheduled offences of the PMLA, Therefore on 15.03.2010, an ECIR/53/DZ/2010 was recorded in the Delhi Zone Office of the Delhi Zonal Office of the Directorate of Enforcement, New Delhi against the aforesaid suspects/accused persons for commission of offence under Section 3 of PMLA, 2002 (as amended), punishable under section 4 of the said Act, and the case was taken up for further investigation.
5. That after the investigations, the Directorate of Enforcement has filed a complaint under section 45 of the Act before the Hon'ble Court of Shri Manoj Kumar, Ld. Additional Sessions Judge, Saket District Court, New Delhi (Designated Special Court under PMLA) bearing Sessions Case No. 73/15 dated 31.03.2015 against the above named accused persons Shri Shiv Murat Dwivedi and Shri Praveen Kumar for commission of offences under section 3 and punishable under section 4 of the PMLA. The Hon'ble Special Court has already taken cognizance of the complaint and subsequently charges vide order dated 14.05.2016 have already been framed.
6. According to Section 44 (1) (a) of the Act, "44 Offences triable by Special Courts. —
(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), —
(a) the scheduled offence and offence punishable under section 4 shall be triable only by the Special Court constituted for the area in which the offence has been committed: Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence"
7. Also as per Section 44(1) (c) of Prevention Laundering Act (PMLA), 2002, "if the court which has taken cognizance of the Scheduled Offence is other than the Special Court which has taken cognizance of the complaint of the offence of Money Laundering under sub clause (b), it shall on an application by the authority authorized to file complaint under this Act, commit the case relating to the Scheduled Offence to the Special Court and the Special Court shall, on receipt of such case proceed to deal with it from the stage at which it is committed.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court be pleased to commit the present case arising out of FIR No. 7/2010 dated 26.02.2010 PS Saket, Delhi Police, New Delhi from this Hon'ble Court to the Hon'ble Court of Shri. Manoj Kumar, Ld. Additional Sessions Judge/Special Court (PMLA) for further trial.

Date:
Place:

Through


Naveen K. Matta
Counsel for Enforcement Directorate

707 D.

SC No. 09/2016
State Vs. Shiv Murat & Ors.
FIR No. 47/2010
PS : Saket
U/s 3/4/5/6/8 ITP Act

22.02.2017

Present : Sh. Navin Kumar Matta, SPP, Directorate of Enforcement.
Accused Shiv Murat and Praveen Kumar on bail
Shri Ajay Upadhyay, Adv. for the accused Shiv Murat
Shri Dipanshu, Adv. for the accused Praveen Kumar
Accused Shalini is not present.

In view of Section 44 (1)(c) of the Money Laundering Act, 2002, the Ld. Metropolitan Magistrate-06, South East District, vide order dated 03.11.2016 has committed the case FIR No. 47/10, PS : Kalkaji, U/s 3,4,5,6&8 of the ITP Act, to the court of Sh. Manoj Kumar, Ld. ASJ-01 (South), who has already taken the cognizance of the offence under Section 3&4 of the Prevention of Money Laundering Act (arising out of the same incident) on the Directorate of Enforcement's complaint and has framed the charges against the accused persons under Money Laundering Act, 2002.

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As this matter involves inter-district transfer from the court of Ld. MM-06, South East District, Saket Courts, New Delhi, to the court of Sh. Manoj Kumar, Ld. ASJ-01, South East District, Saket Courts, New Delhi, let the file be placed before the Ld. Registrar General, Delhi High Court, New Delhi for appropriate orders.

Parties to appear before the Ld. Registrar General, Delhi High Court, New Delhi on 02.03.2017 at 10.30 AM.

Ahlmad is directed to send the file, complete in all respect to Ld. Registrar General, Delhi High Court, New Delhi.

(Poonam A. Bamba)
District & Sessions Judge
South East, Saket Courts
New Delhi 22.02.2017 (S)

MOST IMMEDIATE

No. 53/4-24/DHC/Gaz/G-1/2017

Dated: 7-11-2017

From:

Registrar General,
High Court of Delhi,
New Delhi-110003.


To

1. The District & Sessions Judge (HQ), Tis Hazari Courts, Delhi.
2. The District & Sessions Judge, North-West, Rohini Courts Complex, Delhi.
3. The District & Sessions Judge, South, Saket Courts Complex, New Delhi.
4. The District & Sessions Judge, South-West, Dwarka Courts Complex, New Delhi.
5. The District & Sessions Judge, West, Tis Hazari Courts Complex, Delhi.
6. The District & Sessions Judge, North, Rohini Courts Complex, New Delhi.
7. The District & Sessions Judge, South-East, Saket Courts Complex, New Delhi.
8. The District & Sessions Judge, East, Karkardooma Courts Complex, Delhi.
9. The District & Sessions Judge, New Delhi, Patiala House Courts Complex, New Delhi.
10. The District & Sessions Judge, Shahdara, Karkardooma Courts Complex, Delhi.
11. The District & Sessions Judge, North-East, Karkardooma Courts Complex, Delhi.

Sir/Madam,

I am directed to say that while considering the request(s) of the District & Sessions Judge(South) and District & Sessions Judge(South East) for transfer of cases from one district to another, Hon'ble the Acting Chief Justice and Hon'ble Judges of this Court have been pleased to resolve that henceforth the request(s) received from District and Sessions Judges and Principal Judges, Family Court for transfer of case from one District to another District, subordinate to this Court and competent to try or dispose of the same, upon recusal or for any other reason, shall be placed by the Registry by way of reference before the concerned Bench.

Yours sincerely,


(Dinesh Kumar Manchanda)
Deputy Registrar (Gaz.-I)
for Registrar General

COURT OF DELHI
HIGH COURT OF DELHI : NEW DELHI

2102-2112
No. _____/DHC/Gaz/G-1/2018

From:

The Registrar General,
High Court of Delhi,
New Delhi-110003.

To:

1. The District & Sessions Judge (Headquarters), Tis Hazari Courts, Delhi.
2. The District & Sessions Judge, North-West, Rohini Courts Complex, New Delhi.
3. The District & Sessions Judge, South, Saket Courts Complex, New Delhi.
4. The District & Sessions Judge, South-East, Saket Courts Complex, New Delhi.
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9. The District & Sessions Judge, South-West, Dwarka Courts Complex, New Delhi.
10. The District & Sessions Judge, West, Tis Hazari Courts, Delhi.
11. The District & Sessions Judge, North, Rohini Courts Complex, New Delhi.

New Delhi, dated the 22, April, 2019

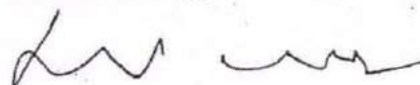
Sub : Regarding transfer of case from one District to another District.

Sir,

I am directed to refer to this Court's letter No.5314-24/DHC/Gaz/G-1/2017 dated 7.11.2017, on the above subject and to inform you that Hon'ble the Chief Justice and Hon'ble Judges of this Court while reconsidering the subject matter have resolved as under :

"..... It has been resolved to substitute the word "reference" with "transfer petition" in the said resolution. Therefore, henceforth, the request received from District & Sessions Judges and Principal Judges, Family Courts for transfer of case from one District to another District, subordinate to the High Court and competent to try or dispose of the same upon recusal or for any other reason, shall be placed by the Registry by way of transfer petition before the concerned Bench for appropriate consideration and orders."

Yours faithfully,



(Jugal Kishore)

Assistant Registrar (Gaz.)