

(without file)

(M/s Yogi Seaways Pvt. Ltd. Vs. The Chief Port Administrator and others)

Mrs.Anjili Nag... for the respondents

September 04, 2013

This matter was placed under the heading "To Be Mentioned" on 30.08.2013 as well as on 03.09.2013 at the instance of Mrs.Anjili Nag, learned counsel appearing for the respondents with a grievance that although the matter pertains to the Andaman & Nicobar Islands, yet for reasons best known to the petitioners, they have chosen to file the writ petition before the Principal Bench at Calcutta, and inspite of repeated requests made by her, the file has not been sent to Port Blair for hearing.

The two orders that this Court passed on the two days mentioned above are, therefore, necessary to be quoted below. They read as under:

"WP No.21938(W) of 2013

(M/s Yogi Seaways Pvt. Ltd. Vs. The Chief Port Administrator and others)

Mrs.Anjili Nag... for the respondents

August 30, 2013

It is stated by Mrs.Anjili Nag, learned counsel appearing for the respondents that this case has been filed at the Principal Bench at Kolkata, but inspite of repeated requests made by her, the file has not been sent to Port Blair, although the matter pertains to the Islands.

The Registrar of this Court is directed to immediately contact the learned Registrar General, Calcutta High Court, Kolkata, informing him about this order and report the status to this Court on 3rd September, 2013.

Let the matter be listed on 3rd September, 2013 again.

Let a copy of this order be served upon the Registrar of this Court within one hour from now.

Sd/-

(Tapen Sen, J.)

WP No.21958 (W) of 2013

(M/s Yogi Seaways Pvt. Ltd. Vs. The Chief Port Administrator and others)

Mrs.Anjili Nag... for the respondents

September 03, 2013

It is stated that in my order dated 30.08.2013, the case number was wrongly shown as WP No. 21938(W) of 2013, when it should have been WP No.21958(W) of 2013.

Office is granted leave to make necessary correction.

Let the matter appear tomorrow under the same heading.

The Registrar is requested to put up a Note with regard to compliance of the order passed by this Court on the said date i.e. 30.08.2013.

Sd/-

(Tapen Sen, J.)"

Pursuant to the order passed by this Court on 03.09.2013, requesting the Registrar of this Court to put up a Note, he has submitted such a Note informing that this case is running in the monthly cause list of September, 2013 before the Hon'ble Mr. Justice Anirrudha Bose at Calcutta.

It is well known that it is only the Hon'ble Chief Justice of a High Court who has the prerogative to transfer matters from one Court to another. Consequently, this Court does not have the jurisdiction nor would it have the audacity to direct the transfer of this matter from Calcutta to Port Blair, but, considering the submissions of Mrs.Anjili Nag to the effect that the entire cause of action pertains to the Andaman and Nicobar Islands and has got nothing to do with the mainland, this Court directs the Registrar of this Court to immediately transmit this order to the Registrar General of the Calcutta High Court.

The Registrar General, Calcutta High Court, in his turn, is directed to immediately place this matter before Hon'ble Chief Justice for appropriate orders.

(Tapen Sen, J.)