

Party Name : UNION OF INDIA & ORS Vs GIRISH CH. NATH

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA THE HONBLE MR. JUSTICE S.C.DAS

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This matter has been received due to the following order passed by the Gauhati High Court.

*"6.2.2015*

*The matter may be transferred to the Tripura High Court, since the subject-matter pertains to that Court."*

From the record we find that the writ petition in question was filed before the Gauhati High Court on 22.05.2014.

The High Court of Tripura was established on and with effect from 23.03.2013. From that day onward the Gauhati High Court ceased to have any jurisdiction over the State of Tripura under the North-Eastern Areas(Re-organization) and Other Related Laws(Amendment) Act, 2012. The Gauhati High Court only has jurisdiction to transfer those cases relating to the State of Tripura which were pending before it on or before 23.03.2013. Thereafter, both the Courts are independent Courts. If the Gauhati High Court does not have jurisdiction to hear any matter it may reject the petition or pass any other order that it may deem fit but we are afraid that the Gauhati High Court has no supervisory jurisdiction over this Court and has no jurisdiction to transfer a matter from the Gauhati High Court to the High Court of Tripura. Only the Supreme Court has the power to transfer a case from one State to the other.

Therefore, the Registrar General is directed to return the file to the Gauhati High Court.