

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.628 of 2014

ORDER :

This petition is filed to withdraw O.S.No.29 of 2009 from the file of VIII Additional District Judge, Warangal, and transfer the same to any Additional District Judge at Warangal, for early disposal.

2. Petitioner-plaintiff filed his affidavit and according to which, he filed suit for declaration in respect of 650 sq. yards of house plot situated at Waddepalli Village, Hanamkonda, and though the suit is of the year 2009, trial is not completed and for these reasons, he sought transfer of O.S.No.29 of 2009 from VIII Additional District Judge, Warangal, to any other Additional District Court at Warangal.

3. Heard arguments.

4. As seen from the affidavit and material papers filed along with transfer C.M.P., the reasons stated in the affidavit seeking transfer is not a ground as contemplated under Section 24 of C.P.C. If trial in the lower Court is not proceeded with or there is any delay of trial, the remedy of the petitioner is otherwise, but not seeking transfer. Considering the same, I am of the view that there are absolutely no grounds to exercise the powers under Section 24 C.P.C. and the transfer C.M.P. is liable to be dismissed with costs.

5. Accordingly, transfer C.M.P. is dismissed with costs.
6. Miscellaneous Petitions, if any, shall stand closed.

S. RAVI KUMAR, J

9th February 2015.
mar