

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.153 of 2015

ORDER:

This petition is filed to withdraw O.S.No.372 of 2014 from the file of Additional Senior Civil Judge, Srikakulam and transfer the same to any other Senior Civil Judge Court of Vizianagaram or Visakhapatnam Districts.

2. As per allegations in the affidavit filed in support of petition, Presiding Officer has returned the counter claim of petitioner herein many times, and since six(06) months, no order is passed, and for that he suspect that he may not get fair justice in the Additional Senior Civil Judge's Court, Srikakulam.

3. The facts narrated in the affidavit are not at all grounds to invoke powers under Section 24 C.P.C., if petitioner is aggrieved with return endorsements of the trial Court in respect of his counter claim, he has to challenge the same in appropriate legal proceedings, but that cannot be a ground for seeking transfer. Simply because, the counter claim is returned and not taken on file contending that he may not get fair justice cannot be accepted.

4. Therefore, the Transfer Miscellaneous Petition is dismissed at admission stage giving liberty to petitioner to take appropriate legal steps against return endorsements.

Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 18-03-2015

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