

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.156 of 2015

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ORDER:

This petition is filed to withdraw O.S.No.1194 of 2008 from the file of XI Additional District Judge at L.B. Nagar, Ranga Reddy and transfer the same to any other competent Court within Ranga Reddy District or to City Civil Court, Hyderabad for disposal in accordance with law.

2. Petitioners herein are plaintiffs in O.S.No.1194 of 2008, and according to affidavit filed in support of the petition, as witness is cross-examined by the Presiding Officer and also suggestions were also put to the witness, which are helping contesting defendant No.23, petitioners have sought for transfer of suit O.S.No.1194 of 2008 on the ground of prejudice. It is also contended in the affidavit that the acts of Presiding Officer like cross-examining the witness, putting suggestions goes to show that the Presiding Officer is showing personal interest in the matter.

3. Other side has not filed any counter disputing the affidavit averments of petitioners.

4. Advocate for respondents submitted that respondents are not aware of the cross-examination and suggestions put to the witness that are referred to in the affidavit. However, respondents have no objection for transfer by fixing some time for disposal of the suit. Advocate for petitioners submitted this cross-examination happened during boycott period.

5. Considering the submissions of both sides and without going into the correctness of allegations made in the affidavit against the Presiding Officer, I feel that the request of petitioners can be considered, to avoid embarrassment to Presiding Officer.

6. For these reasons, O.S.No.1194 of 2008 is withdrawn from the file of XI Additional District Judge at L.B. Nagar, Ranga Reddy and transferred to IV Additional District Judge, Ranga Reddy for disposal in accordance with law.

7. Accordingly, this Transfer Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 16-04-2015

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