

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

TA No.330 of 2015.  
Decided on:-8.5.2015.

Mohinder Singh. .....Petitioner.

Versus

Kuljit Singh and another .....Respondents.

CORAM:     *HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.*

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Argued by:- Mr. Jagpal Singh, Advocate for the petitioner.

**Dr. Bharat Bhushan Parsoon, J.**

A civil appeal details of which have not been provided in the present transfer application is pending in the Court of Ms. Manju Rana, Additional District Judge, Moga for 27.7.2015.

2.            Transfer of the appeal from the said court to some other court of competent jurisdiction at Moga is sought by the petitioner on the grounds that the Presiding officer is pressurising for compromise and on refusal to do so, is granting adjournments to harass the petitioner. It is also claimed that the petitioner had seen the respondent coming out of the house of the Presiding Officer and thus, apprehends that there could be nexus between the respondent and the Presiding Officer.

3.            Earlier, transfer of this appeal had been sought by the petitioner by filing an application before District Judge, Moga where allegations were that the respondents are influential persons and that they were proclaiming that they would get the appeal decided from the Presiding Officer in their favour. There is complete denial of such averments by the respondents in their reply.

The allegations are improved a lot in their content and substance to attribute bias to the Presiding Officer without any foundation. Rather, it is clear that move of the appellant, petitioner herein, is to prolong the litigation and somehow or the other to get the appeal transferred because the Presiding Officer is giving short adjournments in a bid to decide the matter. That itself is no ground to impute any motives to Presiding Officer. While dismissing the application of the petitioner, District Judge, Moga has noticed as under:

*“No bonafides ground is made out to transfer the above said appeal titled “Mohinder Singh Vs. Kuljit Singh” from the Court of Miss Manju Rana, Additional District Judge, Moga. The transfer application appears to have been filed to further prolong the litigation. Therefore, appellant has filed this application raising fake accusations against the Presiding Officer. Hence the application for transfer of said appeal is dismissed.”*

4. The present application is having allegations which are inherently contradictory to the allegations earlier for transfer of the appeal made in the application to the District Judge. Merely because effort of the Presiding Officer to decide the matter at the earliest by giving short adjournments, does not mean that there is any bias against the appellant, petitioner herein.

The allegations have been made in the air without any foundation. Such practice of levelling allegations against the Presiding Officer, in fact, causes interference with the judicial process and thus is to be deprecated.

5. Keeping in view the facts and circumstances as mentioned hereinabove, there is no merit in this petition and the same is, consequently, dismissed.

**May 08, 2015**  
'Yag Dutt'

**(Dr. Bharat Bhushan Parsoon)**  
**Judge**