

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.935 of 2016**

Subodh Krishna

.... Appellant/s

Versus

The State of Bihar & Ors

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Subodh Krishna (Inperson)

For the Respondent/s : Mr. Rishi Raj Sinha-Sc19

**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 26-10-2016

Heard the petitioner in person and learned counsel

appearing on behalf of respondent Nos. 1 and 2.

Perused the impugned order dated 26.04.2016 passed by the District Judge, Bhagalpur in Miscellaneous Transfer Petition No. 19 of 2016, whereby the learned District Judge has rejected the transfer petition.

From perusal of the order passed by the District Judge, it appears that the court below has exercised the jurisdiction conferred on it under Section 24 of the Code of Civil Procedure. Section 24 C.P.C. is discretionary jurisdiction which is to be passed by the Court on the basis of the facts and the claim made by the petitioner. The court below has, therefore, exercised his discretion.

In such circumstances, even if other view is possible, the High Court for the purposes of supervising the impugned order

cannot take another view in exercise of supervisory jurisdiction under Article 227 of the Constitution of India. Accordingly, this civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)