

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.911 of 2016**

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Smt. Asha Devi

.... .... Appellant/s

Versus

Mostt. Mahamati Kuer & Ors

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Apurva Kumar

For the Respondent/s : Mr.

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

2 25-10-2016

Heard the learned counsel, Mr. Parthasarathi for the petitioner.

Perused the impugned order dated 25.07.2016 passed by the District Judge, Patna in Civil Misc. (Transfer Case) No.111 of 2016 whereby the learned District Judge has rejected the transfer application under Section 24 of the Code of Civil Procedure.

From perusal of the impugned order, it appears that transfer petition as filed only on the ground that the Court below while adjourning the hearing of partition suit, cost of rupees has been awarded. In my opinion, in fact the application for transfer itself was frivolous application and on the ground that while adjourning the case, cost has been awarded, the transfer petition could not have been allowed and the Court below has, therefore, rightly rejected the application.

Thus, I find no reason to interfere with the impugned order and accordingly, this Civil Misc. application is dismissed.

Sanjeev/-

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**(Mungeshwar Sahoo, J)**