

HON'BLE SRI JUSTICE M.S.K.JAISWAL

Transfer Criminal Petition No.62 of 2015

ORDER:-

The petition is filed to transfer C.C.No.303 of 2008 from the file of the Additional Judicial Magistrate of First Class, Kadiri, to any other Court in the neighbouring District of Kurnool.

The allegations in the petition are that though the case pertains to the Court of the Additional Judicial Magistrate of First Class, Kadiri, when the Presiding Officer went to training at Judicial Academy from 01.02.2015 to 31.03.2015, the Court of the Principal Junior Civil Judge, Kadiri, was placed in Full Additional Charge. The said Presiding Officer was not taking up any of the cases belong to the Court of the Additional Judicial Magistrate of First Class, Kadiri, but only the two cases involving the petitioner herein and the respondent were taken up and the Presiding Officer has been insisting for disposal of these two cases even though it was represented before the Presiding Officer that the original Court had already recorded the evidence of the parties and also heard the arguments of the parties in part. Added to that, the respondent is proclaiming that he knows how to manage things and that he has already managed and he will get orders in his favour.

Prima facie the allegations do not constitute valid ground for transferring the case from one Court to another Court. Be that as it may, it is submitted that both the Presiding Officers viz., the Officer presiding the Additional Judicial Magistrate of First Class, Kadiri as well as the Principal Junior Civil Judge, Kadiri, are no more presiding over those Courts in view of the transfers and hence the request of the petitioner need not be considered.

In view of the above, the Transfer Criminal Petition is dismissed. Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.Jaiswal, J

July, 2016

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