

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

T.A. No.210 of 2016

Date of Decision.31.03.2016

Vijay Singh and others

.....Petitioners

Vs.

Gram Panchayat Assan Kalan and others

.....Respondents

Present: Mr. Mahavir Sandhu, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. There is an application for adjournment sought on the ground that the Judicial Officer has expressed himself seriously against the 3rd respondent in appeal and has made observations directing the certain conversations to be placed before the District Judge for onwards transmission to the High Court for appropriate action for contempt. The observation of Court has come in application for consideration of stay obtained by the State and for production of certain documents sought at the instance of the respondent. The Court has recorded what according to it happened in Court and has done what was appropriate under the circumstances.

2. When an application for adjournment was moved before the very same Court stating that the Presiding Officer is biased, the Court has observed that it cannot entertain the application itself and it will be open for the party to approach the higher forum.

3. A Judge who works from morning through evening under public gaze at all times is expected to distance himself emotionally from anything that happens by way of exchanges between the counsel and the Presiding Officer. The justice is always to be done to the parties uninfluenced by even an unworthy conduct of any person, be it a lawyer or Judge. The judicial training that takes place surely insulates a Judge from maintaining such an objective approach to a case. I am also not convinced that the Judge could be in any way influenced against the respondents before the appeal only because he has expressed himself against a particular party who is also a lawyer before the Court and has directed action to be initiated for consideration for contempt. This cannot force a Judge to recuse himself from the case or seek for transfer of the case to some other Court.

4. I will make no intervention for transfer of the petitioner's case. The transfer application is dismissed.

(K. KANNAN)
JUDGE

March 31, 2016
Pankaj*