

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

Transfer Application No.965 of 2016
Date of decision: December 16, 2016

Kulwant Singh & others

...Petitioners

Versus

Mohindro since deceased through
LRs Kashmir Singh etc. & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Nirmal Singh, Advocate for the petitioners.

Rajan Gupta, J.

Petitioner has filed this petition under section 24 of the Code of Civil Procedure seeking transfer of appeal from the court of Additional District Judge, Tarn Taran to some other competent court at Tarn Taran.

The averments made in the petition are totally vague. There is nothing to support the allegations levelled by the petitioner on the Presiding Officer. It appears, petitioners have twice moved similar application before the courts below. Same were, however, dismissed. Counsel for the petitioners has aired an apprehension that decision by the court below is not likely to be fair. On a query being put to him about the basis of such apprehension, no clear answer is forthcoming. There can be no doubt that Section 24 of the Code is enabling provision for transfer of a case from one court to another. Some cogent or compelling reason has to be there for

invoking the said provision. Petitioner has not been able to make out any case on this footing. I do not find any merit in the petition. Same appears to be totally frivolous.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 16, 2016
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No