

In the High Court of Punjab and Haryana at Chandigarh

T.A. No. 875 of 2015

Date of Decision: January 14, 2016

Nahar Singh

... Applicant

Versus

Thakar Dwara Bhikhi and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Ms. Anna Bansal, Advocate,
for the applicant.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant application has been filed under Section 24 of the Code of Civil Procedure for transferring Appeal No. 142, dated 14.08.2015 titled as “Labh Singh and others vs. Thakar Dwara Bhikhi and others”, pending in the Court of learned Additional District Judge, Mansa to any other competent Court at Bathinda or at Sangrur or to the District Judge, Mansa.

The main grievance of the applicant for transferring the appeal in question is that he is having apprehension that he may not get justice at the hands of the Presiding Officer.

I have heard learned counsel for the applicant and perused the record.

Perusal of the record shows that suit for possession filed by the plaintiff/respondent no.1 has been decreed by the learned trial Court vide judgment and decree dated 21.07.2015. Against that, applicant and respondent no.5 filed an appeal which is pending before learned Additional District Judge, Mansa. Mere presumption or apprehension of the petitioner

is not sufficient for transferring the case. Transfer of case should not readily be granted for any fancied notion of a litigant. The yardstick is the interest of justice. The applicant should repose faith and confidence in the administration of justice. The apprehension of the applicant is baseless and deserves to be rejected.

In view of above, no ground for transfer the case has been made out.

Dismissed in limine.

January 14, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge