

TA-946-2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

TA-946-2015 (O & M)

Date of Decision: 27.01.2016

Patel Memorial Management Society

... Petitioner(s)

Versus

Raj Kumar and others

... Respondent(s)

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

Present: Mr. Abhinav Oberoi, Advocate,
for the petitioner.

Mr. Sanjiv Bansal, Advocate,
for respondent No.1.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant transfer petition has been filed under Section 24 of the Code of Civil Procedure for quashing the order dated 03.10.2015 passed by learned District Judge, Patiala whereby application moved by the petitioner for transfer of civil suit titled as 'Raj Kumar vs. Patel Memorial Management etc.' has been dismissed.

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

Learned counsel for the petitioner contends that local lawyers are the members of respondent No.2-Society, as such there is difficulty in pursuing the matter before the trial Court i.e. at Rajpura. Another similar case was stated to be pending between the parties at

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Rajpura which was transferred to Patiala in view of reference made by the then Addl. Civil Judge (Sr. Divn.), Rajpura.

Per contra, learned counsel for respondent No.1 contends that earlier case was transferred because the judicial officer concerned was not interested in deciding the case and this was on *suo motu* reference by the concerned judicial officer. Otherwise also, no reasons were recorded for transfer of the suit. Neither any of the advocates has been impleaded as a party nor the petitioner has made any complaint to the Bar Council that influence is being exercised by the local advocates in his case.

I have considered the rival contentions of learned counsel for the parties.

Admittedly, there are no allegations against the Presiding Officer of the Court where the suit is pending. No advocate who is allegedly exercising influence, has been impleaded as a party. Otherwise also, arguments in the civil suit sought to be transferred are stated to be concluded and the case is fixed for 28.01.2016 for orders.

In view of above, no ground for transfer of the civil suit is made out.

Dismissed.

27.01.2016
parveen kumar

(Paramjeet Singh Dhaliwal)
Judge