

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

TPCR No. 4 of 2017

1. Gunaram Yadav S/o Lakhanlal Yadav, Aged About 40 Years
2. Surendra Kumar Yadav S/o Lakhanlal Yadav, Aged About 30 Years
3. Hinsaram Yadav S/o Lakhanlal Yadav, Aged About 25 Years
4. Santkali Yadav W/o Lakhanlal Yadav Aged About 55 Years
5. Tijan Bai Yadav W/o Surendra Kumar Yadav, Aged About 26 Years

All R/o Village Bhathli Kala P.S. Jarhagaon, District Mungeli,
Chhattisgarh

---- Petitioners

Versus

- State Of Chhattisgarh Through District Magistrate, Mungeli
District Mungeli, Chhattisgarh.

---- Respondent

For Petitioners	Shri S. B. Pandey, Advocate
For Respondent-State	Shri S. Majid Ali, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

16/02/2017

1. After hearing learned counsel for the petitioners, this Court does not find any good ground to interfere in this petition to direct transfer of the sessions trial to any other court of competent jurisdiction. I have arrived at this conclusion for the reason that the only grievance of the petitioners is that the learned Sessions Judge is not examining all the witnesses, who appear in the Court and further that the Sessions Judge is giving longer dates of

hearing.

2. A judge of the trial Court examines the witnesses as per docket of the day, which depends upon the number of witnesses, which may be examined in a particular day. If it is not possible for the Judge to examine all the witnesses on a single day, it cannot be a ground for transfer of the petition to some other Judge.
3. In view of the observations by the Supreme Court in **Captain Amarinder Singh Vs. Parkash Singh Badal and Others** {(2009) 6 SCC 260}, followed by this Court in T.P.C.R. No.15/2016 (**Alok Kumar Agrawal and others vs State of Chhattisgarh**), decided on 27.10.2016, the petitioners' apprehension that they may not get fair justice is only imaginary and fanciful without there being any substance or reality in it.
4. The transfer petition is without any merit. It deserves to be and is hereby dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala