

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

**TA No. 923 of 2016
Date of decision: 18.1.2017**

S.K.Kaushal

... Applicant

Vs.

V.K.Kaushal and others

... Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK

Present: Applicant in person.

RAMESHWAR SINGH MALIK, J. (Oral)

Applicant, by way of present transfer application filed under Section 24 read with Section 151 of the Code of Civil Procedure, seeks transfer of civil appeal No.6 of 1.12.2010/8.1.2016, which is pending before learned first appellate court Yamuna Nagar at Jagadhri to any other court outside Haryana.

When the case came up for hearing on 28.11.2016, applicant, who is appearing in person, sought time to address the court on the maintainability of the present transfer application and on his request, case was adjourned to 12.12.2016, by passing the following order:-

“Petitioner prays for some time to address on the question of maintainability of the present petition. Ten days time is granted.

Adjourned to 12.12.2016.”

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On 12.12.2016, when the case came up for hearing, applicant did not appear and in the interest of justice, case was adjourned for today, i.e. 18.1.2017.

Applicant has refused to argue the case on merits for the reasons best known to him. However, during the course of hearing, applicant has admitted that an SLP as well as contempt petition filed by him before Hon'ble the Supreme Court are pending. A review application is also pending before the learned court below. Under the abovesaid peculiar facts and circumstances of the case, coupled with the fact that applicant has refused to address his arguments on merits of the case, no case for interference has been made out.

Resultantly, with the abovesaid observations made, instant transfer application stands dismissed, however, with no order as to costs.

18.1.2017
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No