

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

TA No. 966 of 2017(O&M)

Date of decision: 16.11.2017

M/s Dashmesh Weaving & Dyeing Mills Pvt. Ltd.Applicant

VERSUS

Bay Dhir and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Naveen Sharma, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant/plaintiff has approached this Court for transfer of civil suit titled **Dashmesh Weaving & Dyeing Mills Pvt. Ltd. Vs. Baby Dhir and others** from the Court of Civil Judge (Junior Division), Samrala to a Court of competent jurisdiction at Ludhiana. The application filed by the petitioner before the District Judge, Ludhiana for transfer of the case has been dismissed.

Perusal of the allegations raised in the application and the order passed by the District Judge makes it evident that the petitioner has failed to make out a prima facie case that the Presiding Officer has any prejudice against the petitioner to create an apprehension that he will not get justice from the Court. The plea of the petitioner that the opposite party is threatening the plaintiff that they have managed the things and decision will be given against the plaintiff, appears to be the result of ill-advice because if a party has managed with the Court, he would keep it as a guarded secret so that there is no opportunity with the other side to seek

transfer of the proceedings. This apart, as the suit filed by the petitioner appears to be at the initial stage, it is difficult to understand that the suit is likely to be decided soon.

For the foregoing reasons, the application fails and is accordingly dismissed.

NOVEMBER 16, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no