

109.

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

Civil Revision No.8989 of 2017 (O&M)
Date of decision:23.02.2018.

MANAGING COMMITTEE RD KHOSLA, D.A.V. MODEL SCHOOOL
AND OTHERS

... Petitioners

Versus

MANAGING COMMITTEE RD KHOSLA, D.A.V. MODEL SCHOOOL
AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Vikas Chatrath, Advocate,
for the petitioners.

HARI PAL VERMA, J.(Oral)

Petitioner-plaintiffs have filed the present revision petition under Article 227 of Constitution of India for issuance of a direction to the Lower Appellate Court to dispose of the appeal filed by them expeditiously.

Having heard learned counsel for the petitioners and perusing various zimini orders including order dated 09.11.2017 whereby the case was adjourned to 07.12.2017 for arguments, this Court finds that the appeal was listed before the Incharge District Judge, as the District Judge/Presiding Officer had retired on 20.12.2017. This Court had sought report with regard to the status of appeal and pursuant thereto, comments of the Incharge, District Judge have been received vide communication dated 02.02.2018. It was informed by the Incharge, District Judge that on the retirement of Presiding/District Judge, Hon'ble Administrative Judge for Gurdaspur Sessions Division had directed that such like cases be transferred if a request is made for the same, but this Court finds that no such application

has been ever made by the petitioner seeking such transfer.

The Incharge, District Judge has not transferred the case as no such transfer application has been moved by either of the parties.

Considering the fact that the petitioner has a legitimate expectation to get the appeal decided, the present petition is disposed of with a direction that in case, such like application is made by either of the parties, the Incharge, District Judge either can keep the case with him or may entrust the same to some other court of competent jurisdiction.

(HARI PAL VERMA)
JUDGE

23.02.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No