

205 IOIN-CR-6277-2017 in CR-6277-2017
AMANPREET KAUR VS KANWALVIR SINGH KANG AND ANR.
Present:- Respondent No.1 Kanwalvir Singh Kang in person.

Heard.

Learned District Judge, Chandigarh, has made a reference that Mr. Rajnish Kumar Sharma, Addl. District Judge, Chandigarh, has recused from dealing with the matter and sought permission to transfer the same to some other Court. Vide order dated 08.01.2018 passed in CR No.6277 of 2017, this Court had directed that this case will not be transferred to any other Court without prior permission of this Court. On the earlier occasions also, one or the other officer was recusing from the case on account of the unnecessary controversy being raised by one or the other party. The case was made date bound. However, extension was sought. Now, another extension of four months has been sought. It is clear that it is a tough case. The learned Judicial Officer has stated that since the petitioner claims that she has lost faith in this Court and has exhibited distrust in the Court, as such, in order to maintain faith in the system and also in order to avoid any further kind of allegations and by keeping in mind the settled proposition of law that "*Justice should not only be done but should manifestly and undoubtedly be seen to be done*".

I am of the view that it is not a case of faith of the litigant. Keeping in view that controversy raised by one or the other party, this Court has reposed full trust in Mr. Rajnish Kumar Sharma, Addl. District Judge, Chandigarh. He has to put up a brave face and deal with the matter strenuously, in terms of the directions issued by this Court from time to time, regarding which a detailed order has already been passed. Further, apprehension of the officer of levelling of allegations by any of the parties can be taken care of by this Court.

In these circumstances, the request for transfer the case made by Mr. Rajnish Kumar Sharma, Addl. District Judge, Chandigarh is declined with a direction that the officer be informed that this Court has full trust in him and that he can proceed with the matter. If any complaint is received against him in this matter, that shall be filed straightway.

Let the direction of time bound disposal of the case be complied with.

The copy of this order be sent to the learned District Judge, Chandigarh, through fax for compliance.

(KULDIP SINGH)
JUDGE

August 31, 2018

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