

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**TPC No. 17 of 2019**

- Ramnarayan Sahu, S/o Mahettar Lal Sahu Aged About 33 Years, Resident Of Thakurdev Para, Tahsil Balouda, District Janjgir Champa Chhattisgarh.,

---- Petitioner

Versus

- Smt. Nand Kumari, W/o Ramnarayan Sahu, Aged About 32 Years, R/o Parsabhata Balco Nagar Korba Presently Resident At Aadarsh Nagar Podibahar Korba P.S. Kotwali District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Petitioner : Shri Ashwani Shukla, Advocate

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****06.02.2019**

1. Heard on admission.
2. This petition has been preferred under Section 24 of the Code of Civil Procedure, 1908 (henceforth, the CPC) for transfer of Civil Suit No.64-A/2018 pending before Principal Judge, Family Court, Janjgir, District Janjgir-Champa (C.G.) to any other Family Court under the jurisdiction of the State.
3. It is pleaded in the petition that the Presiding Officer trying the suit is intentionally overlooking his matter and instead, supporting the respondent herein. It is pleaded further that despite filing numerous applications, no order has been passed on those applications and because of unhealthy behaviour of the Presiding Officer, it is not possible for him to get justice from the said Court. It is put forth further in the petition that because of unhealthy behaviour of Presiding Officer, a complaint has been lodged against him before this Court on

27.11.2018. Based upon the said allegations, it is prayed that the Civil Suit No. 64-A/2018 pending before the Principal Judge, Family Court, Janjgir may be transferred to any other Family Court.

4. While filing the petition, the petitioner has annexed the entire orders sheets of the said Court and perusal of the order sheet dated 12.12.2018 would, however, show that the Presiding Officer has proceeded ex parte against respondent while fixing the case for evidence on 02.01.2019 and then on 14.01.2019. As such the allegations made in the petition that the said Presiding Officer is supporting the Respondent is totally baseless. Besides, in absence of any cogent and reliable evidence, the contentions and / or allegations made by the petitioner against the said Presiding Officer merely on the basis of the alleged complaint lodged before this Court cannot be held to be sustainable.

5. The petition is, accordingly, dismissed in limine. No order as to costs.

Sd/-

(Sanjay Agrawal)
Judge