

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP227 No. 711 of 2019**

Prasun Kumar Bose, S/o Pran Kumar Bose, Aged about 50 years, R/o MIG-1/704, Amdi Nagar, HUDCO, Bhilai, Tahsil and Distt. Durg, Chhattisgarh.

Through the Power of Attorney Holder Plaban Kumar Bose, S/o Pran Kumar Bose, Aged about 47 years, R/o MIG-1/704, Amdi Nagar, HUDCO, Bhilai, Tahsil and Distt. Durg, Chhattisgarh.

---Petitioner/Plaintiff

Versus

Pranav Kumar Roy, S/o P.C. Roy, R/o House No. 29/1 Nehru Nagar (West), Bhilai, Tahsil and Distt. Durg, Chhattisgarh.

---- Respondent/Defendant

For Petitioner : Mr. B.D. Guru, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

01/10/2019

1. This writ petition under Article 227 of the Constitution of India is directed against the order dated 28/08/2019 by which petitioner's application under Section 24 of the CPC for transfer of his civil suit from the Court of 1st Civil Judge Class II, Durg to any other competent jurisdictional Court has been rejected.
2. Mr. B.D. Guru, learned counsel for the petitioner would vehemently submit that petitioner's application has been rejected by the trial Court without assigning sufficient cause which is absolutely unsustainable and bad in law as petitioner/plaintiff has a valid reason

for seeking transfer of his civil suit to any other competent jurisdictional Court.

3. I have heard learned counsel for the petitioner at length.
4. Learned District Judge, Durg has clearly held that merely on the basis of apprehension, the civil suit cannot be transferred to any other competent jurisdictional Court, as such, sufficient and valid reason has been assigned for rejecting the application filed by the petitioner herein under Section 24 of the CPC by the impugned order in which I do not find any illegality or perversity warranting interference under Article 227 of the Constitution of India.
5. The writ petition deserves to be and is accordingly dismissed at the admission stage without notice to the other side. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet