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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3313 OF 2019

Mrs. Kaajal Amar Ahuja

..Petitioner.

V/s.

Amar Ishwarlal Ahuja

..Respondent.

Mr.Ameya Tamhane for the petitioner.

None for the respondent.

CORAM : M.S.SONAK, J.

DATE : MARCH 22, 2019

P.C.:-

Heard Mr.Tamhane, learned counsel for the petitioner.

2. Challenge is to the order dated March 21, 2019 by which learned Principal Family Judge, Family Court, Pune has rejected the petitioner's application seeking transfer of proceedings from Family Court No.5, Pune to another Court.

3. Mr.Tamhane, learned counsel for the petitioner points out the Judicial Officer in an order earlier made against the petitioner had made the following observations :-

“N) She has engaged a reputed lawyer from the city, fighting litigations in High Court, and recently challenged the order below Exhibit 132, despite the fact that the same is under challenge in the W.P. No.5917 of 2018, itself shows that she believes in multiplicity of litigation and stalling the main matter. It also shows that she is an affluent lady.”

4. Mr.Tamhane states that in the aforesaid observations, it is apparent that the Presiding Officer is biased against the petitioner. Mr. Tamhane, then points out that with regard to consideration of the petitioner's interim relief application, the oral arguments of the petitioner advocate were heard on the basis of written notes and taken into consideration. Mr.Tamhane however points out that the oral arguments of the advocate for the opponent were heard and taken into consideration. He submits that this is also indicative of bias.

5. Learned Principal Judge of the Family Court has considered both the aforesaid submissions and held that on the basis of such submissions, it cannot be said that the Presiding Officer was bias so as to order a transfer of the proceedings. Even according to me, on the basis of submissions made, there is no ground to infer bias or likelihood of bias. Merely because some orders are made against the petitioner, that by itself cannot be a ground to alleged bias. The petitioner, no doubt is at liberty to challenge the said orders and Mr.Tamhane points out that the said orders have also been challenged.

6. Accordingly, there is no case made out to interfere with the impugned order. The petition is, therefore, liable to be dismissed and is hereby dismissed.

7. There shall be no orders as to costs.

(M.S.SONAK, J.)