

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

TA-187-2019 (O&M)

Date of decision: 26.02.2019

K.P.S. Bakshi

...Applicant

Versus

Jamish Jaswal and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. A.P.S. Chaudhary, Advocate
for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant K.P.S. Bakshi, who is decree holder in the execution application titled 'K.P.S. Bakshi Vs. Jamish Jaswal' pending in the Court of Sh. Bhupinder Mittal, Civil Judge (Jr. Divn.), Ludhiana, seeks transfer of that execution application to some other Court of competent jurisdiction, at Ludhiana.

He is feeling aggrieved by the various orders passed by the Executing Court, several of them have been reproduced in the application. Allegations of bias and partiality have been levelled. He had moved an application before learned District Judge, Ludhiana for transfer of the execution application to some other Court of competent jurisdiction but the same was declined, vide order dated 16.02.2019. As such, he has come to this Court with a similar prayer.

After hearing learned counsel for the applicant and going through the record, I find that no reason is there to accept the present

application. The petitioner is basically aggrieved by the orders passed by the Executing Court. His remedy for redressal of his grievances lies on the judicial side. Though, he has levelled allegations of bias and partiality against Sh. Bhupinder Mittal, Civil Judge (Jr. Divn.), Ludhiana but there is nothing on record to substantiate those allegations. Learned District & Sessions Judge is in best position to know about the integrity and credibility of the judicial officers working under his control in the Session Division. Learned District & Sessions Judge, vide detailed order did not see any reason to accept the transfer application, rather, observed that there was no substance in the allegations levelled against the Presiding Officer. He has discussed the law on the subject in detail while coming to such conclusion. I, on my part do not see any reason to accept this application. Therefore, the same stands dismissed.

26.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No