

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

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CIVIL WRIT PETITION NO.16618 OF 2019
DATE OF DECISION: JULY 01, 2019

Lakhbir Singh

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Jashanjot Singh Uppal, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, challenging the order dated 15.05.2019 (Annexure P-3) passed by the Financial Commissioner, Revenue, Punjab, whereby the appeals pending with the Commissioner, Ferozepur, have been ordered to be transferred to the Commissioner, Jalandhar Division for adjudication.

It is the contention of learned counsel for the petitioner that respondent No.3 has preferred a miscellaneous petition before the Financial Commissioner for transfer of his appeals, which were pending before the Commissioner, Ferozepur Division, Ferozepur on the pretext that there is political pressure of local M.L.A of the ruling party and, therefore, the matter be transferred out of Ferozepur Division.

Counsel for the petitioner states that there is no evidence on record indicating such pressure having been exerted by any M.L.A and,

therefore, the transfer of cases from Ferozepur Division, Ferozepur to Jalandhar Division, Jalandhar, is uncalled for. He, thus, contends that the order dated 15.05.2019 (Annexure P-3) passed by the Financial Commissioner, Revenue, Punjab, cannot sustain and deserves to be set-aside.

I have considered the submissions made by learned counsel for the petitioner and with his assistance have gone through the impugned order.

As far as the submission of learned counsel for the petitioner that the Court has been overawed by the influence of local M.L.A, the said aspect has not been taken into consideration by the Financial Commissioner while ordering the transfer of appeals from the Commissioner, Ferozepur Division to Jalandhar Division for adjudication. What has actually weighed in the mind of the Financial Commissioner (Revenue) is that the appeals between the parties are pending both before the Commissioner, Ferozepur Division as well as Commissioner, Jalandhar Division. To avoid contradictory orders being passed, the appeal pending before Commissioner, Ferozepur Division has been ordered to be transferred to the Commissioner, Jalandhar Division, where two other appeals are already pending. The convenience of the parties has also been taken into consideration as instead of appearing before two separate Courts, the parties will now appear before one single Authority. This Court is in agreement with the reasoning assigned by the Financial Commissioner, Revenue, while passing the order dated 15.05.2019 (Annexure P-3). There being no illegality or irregularity in the order impugned, no interference is called for by this Court in exercise of its extra ordinary jurisdiction.

The writ petition, therefore, stands dismissed.

July 01, 2019
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(AUGUSTINE GEORGE MASIH)
JUDGE

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