

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TANo. 684 of 2019 (O&M)

Date of decision : 26.8.2019

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Sant Kumar and others

.....Applicants

vs.

Sham Jiwan Pathak and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Ravinder Jain, Advocate for the applicants.

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H. S. Madaan, J. (Oral)

Applicant – Sant Kumar etc., residents of Gurugram, by way of filing the present application seek transfer of an ejectment petition, filed by the respondents Sham Jiwan Pathak etc. against them pending before Rent Controller, Gurugram, to any other court of competent jurisdiction at Faridabad or Rewari or Panipat.

Inter alia in the application, it is alleged that respondents and Smt. Usha Sharma, wife of Ashok Jiwan Sharma-respondent No.2, are practicing Advocates at Gurugram and Sh. Sudhir Jiwan Sharma, son of Sh. Sham Jiwan Pathak, is Additional District Judge in the State of Haryana and the applicants have got an apprehension that

they would not get justice from the Rent Controller, where the ejectment petition is pending on account of clout and influence of the respondents. Therefore, the ejectment petition be transferred.

I have heard learned counsel for the applicants, besides going through the record and I find that no ground is made out to accept the application.

Merely because, the respondents are practicing Advocates at Gurugram and son of respondent No.1. Sh. Sham Jiwan Pathak, is a Judicial Officer in the State of Haryana, does not mean that they can influence the judicial proceedings in any manner. The allegations are quite vague, lacking specific details. Thus no ground is there to accept the application and transfer the ejectment petition to some other place, as prayed for.

The application stands dismissed.

26.8.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No