

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

T.A. No. 836 of 2018

DATE OF DECISION :- July 11, 2019

Manoj Kumar

...Applicant

Versus

Ramesh Dhankhar

...Respondent

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

Present:- Mr. S.S. Majithia, Advocate for the applicant.

Applicant Manoj Kumar, resident of Rohtak has filed the present application seeking transfer of civil suit titled as 'Manoj Kumar versus Ramesh Dhankhar' pending in the Court of Civil Judge (Sr. Division), Rohtak to the Court of competent jurisdiction at Panipat.

Interalia, in the application it is contended that respondent has retired as an Assistant from District Courts, Rohtak and his wife namely Mrs. Aruna Dhankhar is still serving there in capacity of an Assistant; that respondent has been threatening the applicant that he has got sufficient links in the Court premises giving rise to an apprehension in the mind of the applicant that he would not get justice.

I have heard learned counsel for the applicant besides going through the record.

I find that there is absolutely no merit in the application. A

retired employee of the Court for that matter and an employee still in service cannot be expected to wield so much influence so as to interfere in the judicial proceedings. The allegations in the application are of general and sweeping type. The applicant himself has filed the civil suit in question in the Courts at Rohtak. Both the parties belong to Rohtak as per addresses given in the application, so there is no reason to transfer the civil suit to the Court of competent jurisdiction at Panipat. If the applicant is aggrieved by any wrongful act by the respondent, he can bring it to the notice of District and Sessions Judge, Rohtak and if he has got any apprehension of physical harm at the hands of respondent or any person claiming under him, he can approach the law enforcement agencies in that respect. However, no ground is made out to accept the present application, therefore, the same stands dismissed.

(H.S. MADAAN)
JUDGE

July 11, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No