

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.169 of 2021**

Md. Zikrul Son of Md. Waris Resident of Village Shikarpur Kuram Hat P.S.
Balua Belon District- Katihar.

... .. Petitioner

Versus

1. Md. Quasim Son of Late Badruddin Resident of Village Shikarpur P.O.
Kuram P.S. Balua Belon District- Katihar.
2. Md. Maqbul Son of Late Badruddin Resident of Village Shikarpur P.O.
Kuram P.S. Balua Belon District- Katihar.
3. Md. Qamrul Hodda Son of the late Laftan Resident of Village Shikarpur P.O.
Kuram P.S. Balua Belon District- Katihar.
4. Md. Tanweer Alam Son of the late Laftan Resident of Village Shikarpur P.O.
Kuram P.S. Balua Belon District- Katihar.
5. Shamim Begum Daughter of the late Laftan Resident of Village Shikarpur
P.O. Kuram P.S. Balua Belon District- Katihar.
6. Bibi Jardi Khatoon Wife of Md. Waris Resident of Village Shikarpur P.O.
Kuram P.S. Balua Belon District- Katihar.
7. Bibi Tarequa Khatoon D/o Late Laftan, W/o Md. Aslam R/o Village
Chihapara, P.O.- Telta, P.S. Bairampur, District- Katihar.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioner.

The impugned order dated 6.12.2019 shows that the learned District Judge, Katihar, allowed the transfer petition of the respondents and transferred Title Suit No. 376/2014, Title Suit No. 71/2015 and Title Suit No. 389/2014 from the Court of Sub-Judge, Barsoi to the Sub Judge-II, Katihar, exercising his power under Section 24 of the CPC.



Learned counsel for the petitioner has submitted that the court of Sub-Judge, Barsoi was proceeding as per law but the learned District Judge did not consider this fact. He has also submitted that the Court of Sub-Judge, Barsoi is in jurisdiction.

The order of transfer was passed by learned District Judge, Katihar on 6th December, 2019 and he has mentioned reason for transfer of the case that the learned Sub-Judge, Barsoi was giving unnecessary adjournments and he was lethargic in quick disposal of the matter.

So far as the jurisdiction of court is concerned, the matter may be transferred in any court within the jurisdiction of Katihar having the pecuniary jurisdiction in the matter. As such, the submissions of learned counsel for the petitioner is not maintainable.

I do not find any merit in the present miscellaneous case. Accordingly, it is dismissed.

(Nawneet Kumar Pandey , J)

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