

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.470 of 2021

Basudeo Rai Son of Late Dineshwar Rai Resident of Village - Karariya Jagir,
P.O. - Karariya, P.S. - Kotwak, District- East Champaran.

... .. Petitioner/s

Versus

1. Jagarnath Sharma Son of Late Ashik Sharma Resident of Village - Birti Tola,
Karariya, P.O. - Karariya, P.S. - Kotwa, District- East Champaran, Karariya,
P.S. - Kotwa, District- East Champaran.
2. Ramlal Sharma Son of Late Ashik Sharma Resident of Village - Birti Tola,
Karariya, P.O. - Karariya, P.S. - Kotwa, District- East Champaran, Karariya,
P.S. - Kotwa, District- East Champaran.
3. Laxman Sharma Son of Late Ashik Sharma Resident of Village - Birti Tola,
Karariya, P.O. - Karariya, P.S. - Kotwa, District- East Champaran, Karariya,
P.S. - Kotwa, District- East Champaran.
4. Bhaiya Lal Sharma Son of Late Ashik Sharma Resident of Village - Birti
Tola, Karariya, P.O. - Karariya, P.S. - Kotwa, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Virendra Kuar
For the Respondent/s : Mr.

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

ORAL ORDER

4 11-05-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner.

The present civil miscellaneous petition has been preferred against the order dated 28.10.2021 passed by the learned District Judge, East Champaran, Motihari in Civil Misc. Case No. 38 of 2021, whereby a transfer petition filed by the petitioner was rejected.

The petitioner filed a transfer petition to transfer Title



Suit No. 752 of 2011 pending in the court of Sub-judge-X, Motihari on the ground that the behaviour of presiding officer towards the petitioner was not good.

The learned District Judge has mentioned in his order that final arguments had already been completed in Title Suit No. 752 of 2011 on behalf of both the parties and the case is pending for pronouncing the judgment.

The mere allegation against the presiding officer is that his behaviour is not good towards the petitioner that is not a ground for entertaining the transfer petition. The District Judge, East Champaran, Motihari has rightly rejected the transfer petition.

I do not find merit in the present petition, accordingly it is dismissed.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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