

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-290-2023

Date of Decision: 17.01.2023

Nanakjit

.....Petitioner

Versus

Shri Gaurav Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr.Rahul Bhargava, Advocate, for
Mr. Chetan Bansal, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 227 of the Constitution of India for setting aside the order dated 17.12.2022 (Annexure P-1) passed by the Ld. District Judge, Amritsar, whereby the application under Section 24 of the Code of Civil Procedure, 1908, seeking transfer of the ejectment petition has been dismissed.

A perusal of the impugned order passed by the Court below shows that the Court has already appreciated the material on record and has found that the apprehension expressed by the petitioner against the Presiding Officer is totally baseless. Even this Court does not find anything; to even suggest; that the petitioner is not likely to get justice through the Presiding Officer of the trial in the case.

On the other hand, the record, as observed by the Court below, does show that the case is more than five years old and it relates to tenancy. Even the evidence of the rent-petitioner was closed in 2019. Still the present petitioner/tenant has not completed his evidence. It is clearly reflective of the intention of the tenant to prolong the litigation as much as he can. The

present application for transfer also appears to be on the similar lines.

Otherwise also, the only assertion made by the petitioner is that the Presiding Officer of the Court is not cooperating with him. Needless to say that Presiding Officers of the Court are not required to cooperate with the litigants. Rather, they are supposed to take care of the litigations, as such, without being bothered about cooperation or non-cooperation qua any party. Therefore, the assertion made by the petitioner is purely misconceived, rather, is mischievous one. It deserves to be deprecated as much as it can be.

In view of the above, finding no merits in the present petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

17.01.2023
adhikari

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