



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6261 OF 2024

(Laxmandas Damumal Hariyani and others Vs. Shri Mustafa Yusufbhai Bohara)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. M. Chandekar, Advocate for Petitioners.
Mr. A. S. Dhore, Advocate for Respondent.

CORAM: N. R. BORKAR, J.

DATE: 18th OCTOBER, 2024.

This petition takes exception to the order dated 23.09.2024 passed by the learned Principal District Judge, Chandrapur in Misc. Civil Application No.76/2024.

2. By the order impugned the learned Principal District Judge, Chandrapur has rejected the application filed by the present petitioner under Section 24 of the Civil Procedure Code for transfer of the Regular Civil Suit No.72/2015 from the Court of Joint Civil Judge, Senior Division, Warora to the any other Court of competent jurisdiction.

3. I have heard the learned counsel for the petitioner and the learned counsel for the contesting respondent.

4. The learned counsel for the petitioner submits that the application was filed as the concerned court was not

conducting the trial of suit in a fair manner. It is submitted that instances to that effect were mentioned in the application. It is submitted that the learned Principal District Judge, therefore, in the interest of justice, ought to have allowed the application. In support of his submission the learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in ***Kulwinder Kaur @ Kulwinder Gurcharan Singh v. Kandi Friends Education Trust and others*** reported in ***2008(1) ALL MR 914***.

5. I have perused the application filed by the petitioner. The learned Principal District Judge has rightly rejected the application. No interference is thus called for in the impugned order. The petition is dismissed. However, it would be open to the concerned court to make the request to the Principal District Judge, Chandrapur for transfer of the suit in question.

(N. R. BORKAR, J.)