

2024:PHHC:020057

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
131**

CR-879-2024 (O&M)

Date of decision: 13.02.2024

RENU GARG AND OTHERS

.....PETITIONERS

Versus

KALPANA CHAWLA EDUCATION TRUST, HISAR AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. C.R.Dahiya, Advocate,
for the petitioners.

RITU TAGORE, J.

This revision petition is directed against the order dated 19.01.2024 (Annexure P-18) passed by District Judge, Fatehabad, whereby learned District Judge has transferred the cases bearing Civil Suit No. 564 of 2022 titled as Kalpana Chawla Education Trust vs. Smt. Renu Garg and others and Civil Suit No. 12 of 2023 titled as Smt. Renu Garg vs. Kalpana Chawla Education Trust, from the Court of Additional Civil Judge (Sr. Divn.), Tohana to the Court of Civil Judge (Jr. Divn.), Fatehabad.

Paper-book perused with the assistance of the learned counsel for the petitioners.

Learned counsel for the petitioners submits that the learned District Judge, without any justification and legitimate ground, transferred the cases from the Court of Additional Civil Judge (Sr. Divn.), Tohana to the Court of Civil Judge (Jr. Divn.), Fatehabad. He further submits that the claim of the respondents, as sought in the Transfer Application (Annexure P-17), was unfound. No such incident had happened, as alleged in the said

application. Learned counsel further submits that the decision given by learned Additional Civil Judge (Sr. Divn.) Tohana on an application under Order 39 Rules 1 and 2 would not mean that the Court was biased against the party. Learned counsel submits that the learned District Judge erred in law while passing the impugned order in transferring the cases and prayed to set aside the order.

I have heard learned counsel for the petitioners and have gone through the order of the learned District Judge and find no ground to interfere in the jurisdiction exercised by the learned District Judge while transferring the cases. Further, find no justification in tossing the cases back to other Court. Therefore, the prayer to set aside the order dated 19.01.2024 passed by learned District Judge is, hereby, declined.

However, as regards an additional prayer made by the learned counsel for the petitioners during course of arguments to direct the Court of Civil Judge (Jr. Divn.), Fatehabad to decide the cases within a time bound manner is concerned, at this stage, no ground is made out to give such a direction to the learned Court. However, this Court is sanguine that learned Court shall make sincere endeavours to dispose of the cases expeditiously. Needless to mention, parties to the petition shall assist the Court in expeditious disposal of the cases.

Petition stands disposed of accordingly.

February 13, 2024

pj

**(RITU TAGORE)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No