

**CR-7170-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(148)****CR-7170-2024****Date of Decision: - 09.12.2024****Parkash (since deceased) through his legal heirs****....Petitioner****Versus****Ajit Singh and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Ashwani Bhardwaj, Advocate,
for the petitioner.

**********VIKAS BAHL, J. (ORAL)**

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 23.09.2024 passed by the District Judge, Hisar, whereby the application filed by the petitioner for transferring the appeals in one Court, which are pending in two different Courts, has been dismissed.

2. A perusal of the impugned order dated 23.09.2024 would show that the learned District Judge, Hisar, has taken into consideration the fact that two civil appeals are pending in different Courts and the parties in the same are different and the present petitioner who had moved the application for transfer is not a party in one of the appeals and thus, a person, who is not even a party in the appeal, cannot be stated to have any interest in that appeal and does not have the right to get transferred that

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appeal as per his will. It has further been observed that the suit property in both the cases are also different and thus, there is no reasonable and sufficient ground to transfer the cases to one Court. The said observations made by the District Judge, Hisar could not be disputed before this Court. Additionally, it would be relevant to note that the judgment of the trial Court in both the cases is of the year 2018 and the appeals have also been filed in the year 2018 and one of the case is listed for final hearing on 10.12.2024 and the other case is listed for final hearing on 10.01.2025. It would also be relevant to mention that all the parties in both the cases have not been made parties in the present revision petition.

3. Keeping in view the above-said facts and circumstances, any interference by this Court would result in delay of the adjudication of the said two appeals, in which the parties are different and the subject matters are also different and accordingly, the impugned order dated 23.09.2024 is upheld and the present revision petition being meritless, deserves to be dismissed and accordingly, the same is dismissed.

December 09, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No