

any other Court for hearing and disposal, came to be rejected.

2. The petitioners had instituted Regular Civil Suit No. 6529 of 2012 for the renewal of lease in respect of the suit premises, invoking the renewal clause contained in the lease deed. The respondents had, in turn, filed a suit for recovery of possession of the suit property.

3. By separate judgments, the Trial Court dismissed the suit instituted by the petitioners and decreed the suit instituted by the respondents for recovery of possession of the suit property and passed a decree of eviction.

4. Being aggrieved, the petitioners preferred Regular Civil Appeal No. 56 of 2021 and Regular Civil Appeal No. 59 of 2021. In the said appeals, the petitioners contend, it was decided that Regular Civil Appeal No. 56 of 2021 would be heard first and, thereafter, Regular Civil Appeal No. 59 of 2021. The petitioners filed an application (Exhibit-36) seeking a remand of the suit to the Trial Court. The learned District Judge rejected the application (Exhibit-36) as the appeal was substantially heard. The petitioners challenged the said order in Civil Writ Petition No. 14586 of 2024. By an order dated 21st October 2024, the said Writ Petition came to be dismissed with a

direction to the Appellate Court to deal with the grounds taken for remand and to pass an appropriate order, if remand was warranted, while deciding the appeal finally.

5. The petitioners were purportedly aggrieved by the conduct of the proceedings in the appeals before the learned District Judge. The petitioners entertained an apprehension that they would not get a fair trial and justice before the learned District Judge seized with those appeals. Thus, an application came to be filed before the learned Principal District Judge, being Civil Miscellaneous Appeal No.1049 of 2024, seeking transfer of the appeals to any other Court.

6. By the impugned order the learned Principal District Judge rejected the application observing that there was no merit in the allegations of the petitioners regarding the conduct of the proceedings by the learned District Judge and the apprehension of bias was not reasonable.

7. Mr. Kanetkar, learned counsel for the petitioners, took the court through the averments in the application and the developments during the pendency of the application for transfer, namely, transfer from, and re-transfer, of the appeals, to, the Court of learned District Judge, 15 on the administrative side. Mr. Kanetkar made an endeavour

to urge that the conduct of the proceedings by the learned District Judge gave reasonable apprehension of bias. Emphasis was laid on the fact that the respondents were permitted to change the predetermined order of hearing of the appeals and the application for remand of the matter to the trial Court was unjustifiably declined.

8. I have carefully perused the material on record, especially averments in the application seeking transfer of appeals. None of the grounds mentioned in the application justify a reasonable apprehension of bias or that the petitioners would not get justice before the concerned Court. The fact that the learned District Judge had rejected the application for remand (Exhibit-36) cannot be urged as a ground to entertain an apprehension of not getting a fair trial as the said order was eventually upheld by this Court. Even otherwise, a judicial order, without anything more, would not sustain an apprehension of bias.

9. An innocuous comment by the learned District Judge that the appellants-petitioners herein, were free to get the appeal transferred from his Court, when the respondents submitted that the appellants were not willing to conduct the appeals before the said Court, cannot be construed torn out of context. Such a comment does

not reflect any bias nor it has the propensity to justify an apprehension that the party may not get a fair justice.

10. It is also imperative to note that a substantial amount of judicial time has been consumed in the hearing before the learned District Judge. An unjustified transfer of the appeals from the concerned Court would entail the consequence of waste of precious judicial time and effort.

11. In the totality and the circumstances, I am impelled to hold that the learned Principal District Judge has applied the correct test to assess the necessity of transfer of substantially heard appeals from one Court to another. No interference is warranted in exercise of supervisory jurisdiction.

12. The petition stands dismissed.

Writ Petition No. 5370 of 2025.

In view of the disposal of the petition No. 2920 of 2025 nothing survives in this petition. Thus, Writ Petition No. 5370 of 2025 also stands disposed.

(N.J. JAMADAR, J)