Serial No. 13
Regular List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

Trp (C) No. 20/2024
CM No. 2605/2024

Roshan Lal Bhat

.....Petitioner

Through: Mr. K.L. Pandita, Advocate

Vs

Kania Lal Bhat

.....Respondent

Through: None

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(30.10.2026)

01. The petitioner-Roshan Lal Bhat is real brother of the respondent-Kania Lal Bhat.

02. The respondent came to commence a civil suit on **File No. 30/N on 29.03.2023** before the court of learned Sub-Judge (Special Mobile Magistrate), Anantnag seeking a decree of partition read with permanent prohibitory injunction with respect to land **measuring 37 kanals 10 marlas and 218 sq.ft. falling under khewat No. 317 and khata No. 2144 situated at Brinty Batpora, Tehsil Anantnag**.

03. In the title of the civil suit, the respondent identifies himself to be presently residing at Talab Tillo, Jammu whereas with respect to petitioner mentions him to be

residing as a migrant at Ayanagar, Delhi, Pin Code-110047.

04. The petitioner appeared in the civil suit and filed his written statement on **10.06.2023.** Framing of issues in the civil suit has not taken so far.

05. In the meantime, the petitioner came forward with the present transfer petition before this Court seeking transfer of the suit from the file of court of learned Sub-Judge, (Special Mobile Magistrate), Anantnag to the court of competent jurisdiction in Jammu citing threat perception and also his migrant status.

06. This Court came to put the respondent on notice for his appearance in the present transfer application in the backdrop of the fact that the proceedings in the civil suit came to be directed stayed in terms of an order dated **13.05.2024**.

07. The respondent, at his own risk and cost, has chosen not to appear in the present transfer petition and has been set ex-parte.

08. For the reasons set out in the transfer petition/application, this Court is inclined to grant indulgence by ordering the transfer of the civil suit filed by the respondent herein on file **No. 30/No dated 29.03.2023** from the court of learned Sub-Judge,

(Special Mobile Magistrate), Anantnag to the court of learned Sub-Judge, Jammu.

09. The court of learned Sub-Judge, (Special Mobile Magistrate), Anantnag **is directed to transfer the aforesaid suit file** by retaining Index to the court of learned Sub-Judge, Jammu by and before **30.11.2026** on which date both **the respondent as well as the petitioner to appear before the transferee Court of learned Sub-Judge, Jammu.**

10. The transfer application is accordingly, **disposed of**.

11. A copy of this order to be forwarded by the learned Registrar Judicial, Jammu to the learned Sub Judge (Special Mobile Magistrate), Anantnag for notice and needful compliance.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

(RAHUL BHARTI)
JUDGE

JAMMU
30.10.2026
SUNIL

Whether the order is speaking : Yes / No
Whether the order is reportable : Yes / No