

(2019) 10 CHH CK 0016
Chhattisgarh High Court
Case No: WP227 No. 711 Of 2019

Prasun Kumar Bose

APPELLANT

Vs

Pranav Kumar Roy

RESPONDENT

Date of Decision: Oct. 1, 2019

Acts Referred:

- Code Of Civil Procedure 1908 - Section 24
- Constitution Of India, 1950 - Article 227

Hon'ble Judges: Sanjay K. Agrawal, J

Bench: Single Bench

Advocate: B.D. Guru

Final Decision: Dismissed

Judgement

Sanjay K. Agrawal, J

1. This writ petition under Article 227 of the Constitution of India is directed against the order dated 28/08/2019 by which petitioner's application under

Section 24 of the CPC for transfer of his civil suit from the Court of 1st Civil Judge Class II, Durg to any other competent jurisdictional Court has been rejected.

2. Mr. B.D. Guru, learned counsel for the petitioner would vehemently submit that petitioner's application has been rejected by the trial Court without assigning sufficient cause which is absolutely unsustainable and bad in law as petitioner/plaintiff has a valid reason for seeking transfer of his civil suit to any other competent jurisdictional Court.

3. I have heard learned counsel for the petitioner at length.

4. Learned District Judge, Durg has clearly held that merely on the basis of apprehension, the civil suit cannot be transferred to any other competent jurisdictional Court, as such, sufficient and valid reason has been assigned for rejecting the application filed by the petitioner herein under Section 24 of the CPC by the impugned order in which I do not find any illegality or perversity warranting interference under Article 227 of the Constitution of India.
5. The writ petition deserves to be and is accordingly dismissed at the admission stage without notice to the other side. No order as to cost(s).