

(1998) 12 AHC CK 0099

Allahabad High Court

Case No: Criminal Revision No. 2069 of 1998

Arun

APPELLANT

Vs

Mahipal

RESPONDENT

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**Date of Decision:** Dec. 10, 1998**Citation:** (1999) 3 ACR 2774**Hon'ble Judges:** O.P. Jain, J**Bench:** Single Bench**Final Decision:** Disposed Of

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### Judgement

O.P. Jain, J.

Mr. Ajay Kumar Sharma is present for the revisionist. He is permitted to implead the State as a party.

2. By the impugned order C.J.M., Haridwar has transferred a case from the Court of IInd A.C.J.M. (J.D.), Roorkee, to his own file on the application of accused Mahipal. This order has been passed without issuing any notice to the complainant.

3. In view of the above, order passed by C.J.M., Haridwar, on 28th October, 1998, is set aside. Any of the two parties will be free to move a regular transfer application which will be decided. After giving notice to the other side. It appears from the record that the matter is pending before IInd Addl. Civil Judge, Roorkee, for the last fifteen years and it is at the stage of final arguments. For one reason or the other arguments have not been heard for last two years.

4. It is, therefore, ordered that if no transfer application is filed within a period of one month, IInd Addl. Civil Judge, Roorkee, will decide the matter within next two months.

5. With the above directions, the revision is finally disposed of.

A copy of this order be sent to IInd A.C.J.M., Roorkee.