
(2009) 02 AHC CK 0081

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 61096 of 2008

Ramdaras

APPELLANT

Vs

State of U.P.and others

RESPONDENT

Date of Decision : 01-02-2009

Acts Referred:

Citation : (2009) 02 AHC CK 0081

Hon'ble Judges : Krishna Murari, J

Final Decision : Allowed

Judgement

Krishna Murari, J.—Heard learned Counsel for the petitioner.

2. Aggrieved by the order dated 12.11.2008 rejecting the application seeking transfer of the proceedings from the Court of Deputy Director of Consolidation to some other Court of competent jurisdiction, the petitioner has approached this Court.

3. Transfer of the proceedings has been sought on the ground that opposite party is a practicing advocate and the Court is acting under his influence. Although there is no material on record to substantiate the allegation made in the transfer application but since allegations have been made against the Presiding Officer it would be appropriate and in the fitness of the thing that the proceedings may not continue before the said authority and may be transferred to some other Court of competent jurisdiction so that not only justice may be done but may also seem to have been done.

4. Considering the facts and circumstances, the impugned order 12.11.2008 rejecting transfer application stands quashed.

5. The writ petition as well as transfer application stand allowed.

6. The proceedings of revision No. 1086 (Ramdaras v. Paras Nath and others) pending in the Court of Deputy Director of Consolidation, Gorakhpur stands transferred to be decided by the District Deputy Director of Consolidation,

Gorakhpur.

7. The District Deputy Director of Consolidation, Gorakhpur is further directed to decide the revision in accordance with law after notice and opportunity of hearing to all concerned within a period one month from the date of receipt of the record.