

HIGH COURT OF JAMMU AND KASHMIR

AT JAMMU

LPAC no. 1/2013

CMA no. 3/2013

Date of order: 27.02.2013

Rekha Parihar

v. Manjeet Singh

Coram:

Hon'ble Mr. Justice M. M. Kumar, Chief Justice

Hon'ble Mr. Justice J. P. Singh, Judge

Appearing counsel:

For the appellant(s) : Mr. V. R. Wazir, Sr. Advocate with
Mr. Abhishek Wazir, Advocate.

For the respondent(s) :

Per M. M. Kumar, CJ

1. The instant appeal under Clause 12 of the Letters Patent is directed against judgment and order dated 21.12.2012 passed by this Court declining the application filed under Section 24 of the Code of Civil Procedure for transfer of the case from the Court of Principal District Judge, Ramban to a competent Court of jurisdiction at Jammu.

2. At the outset, we asked the learned counsel that how intra Court appeal in respect of the order refusing to transfer the case from one District to another District would be maintainable under the Letter Patent. There is no satisfactory answer to our query. Even otherwise, we feel that no intra Court appeal is available against an order dismissing the

application filed under Section 24 of the Code of Civil Procedure. Accordingly, we hold that the appeal is not competent and the same is dismissed.

(J. P. Singh)
Judge

(M. M. Kumar)
Chief Justice

Jammu,
27.02.2013
Parshant