

Court No. - 34

Case :- CIVIL REVISION DEFECTIVE No. - 15 of 2024

Revisionist :- Aliyari

Opposite Party :- Ranjana And 5 Others

Counsel for Revisionist :- Pankaj Dwivedi

Hon'ble J.J. Munir,J.

Order on Civil Misc. Exemption Application

The exemption application is **allowed**.

The revision shall be heard on the certified copy of the impugned order passed by the learned District Judge, Chadauli.

Order on Revision

This revision has been filed challenging an order dated 31.01.2024 passed by the learned District Judge, Chandauli, rejecting the revisionist's transfer application No. 93 of 2023, seeking transfer of Election Petition No. 01 of 2023 from the Court of the Additional District Judge, F.T.C.-I, Chandauli to any other Court of competent jurisdiction. The allegation is that the husband of elected Pradhan, the respondent to the election petition, is an Advocate practising in the District Court, Chandauli. On one of the dates fixed i.e. 18.11.2023, the revisionist, who is the election petitioner before the Trial Judge, had gone to the Court and produced some authorities in her favour, and when she was coming out, she saw the elected Pradhan's husband going inside the Presiding Officer's chamber and come out a little. He is said to have announced amongst his associates very triumphantly that he had spoken to the Presiding Officer and the election petition would certainly be decided in his wife's favour. The allegation was denied by the respondent and the learned District Judge, Chandauli, who heard the

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transfer application, did not find any material in support of the incident dated 18.11.2023. He dismissed the transfer application with a remark that the same has been filed with an intention to delay the proceedings of the election petition.

This Court does not agree with the learned District Judge's remark that the revisionist, who is the election petitioner was delaying disposal of the election petition. However, we do agree that the allegations that have been levelled to seek transfer of the election petition are scandalous and most irresponsible.

This Court is of opinion that the allegations on which the transfer has been sought are reflective of a tendency amongst members of the citizens, where they consider the authority and the moral uprightness of the Courts in poor light because they might have experiences of that kind in other walks of life. In doing that, they do much harm to the justice dispensation system. This kind of a tendency of hurling allegations at Courts without the slightest fear of the outcome, if the allegations fail or are found to be made on hollow ground, must be put down with a heavy hand in the larger interest of administration of justice. This Court is, therefore, of opinion that not only this writ petition must be rejected, but done so with costs of Rs. 20,000/-, payable by the revisionist.

This petition is, accordingly, **rejected** with costs of Rs. 20,000/- payable by the revisionist through a Bank instrument drawn in favour of the Registrar General of this Court within 15 days of date. In case, the said costs are not deposited with the Registrar General, he will take immediate steps to issue the necessary certificate to the Collector, Chandauli, who will recover the costs imposed as arrears of land revenue from the revisionist and cause the same to be remitted in account of the Registrar General. Upon receipt of costs, either by the deposit

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or recovery, the same shall be paid in account to the Allahabad High Court Mediation and Conciliation Centre by the Registrar General.

Let this order be communicated to the Registrar General and the Collector, Chandauli by the Office **within 48 hours**.

Order Date :- 2.4.2024

Deepak