

ORDERS ON I.A.No.4

The counsel for respondent No.2 files the I.A.No.4 U/s 151 of C.P.C. and requested to transfer the file to the court of the Hon'ble Prl. Senior Civil Judge and AMACT, Udupi. In the memorandum of facts the counsel for respondent No.2 stated that: MVC No.1158/2024 is pending before the court of the Hon'ble Prl. Sr. Civil Judge and AMACT. The cause of action of the present petition, is also arisen on the same incident. The counsel for respondent No.2 requested to consider the application.

Petitioner contended in the objection that : the application is not maintainable. This court is not authority to transfer the petition. Evidence of petitioner is already completed. No necessary to transfer the petition. Petitioner requested to reject the petition.

The counsel for respondent No.2 stated that: cause of action for the present petition and cause action for MVC No.1158/2024 are one and the same. MVC No.1158/2024

is pending before the court of the Hon'ble Prl. Sr. Civil Judge and AMACT. The petitioner contended that: this court has no authority to transfer the petition. Evidence of petitioner is already completed. The MVC petitions are filed before the Hon'ble MACT. The presiding officer of the Hon'ble MACT is the Hon'ble Principal Judge. The Hon'ble principal judge is having power to allot. Sec. 24 of C.P.C. is barred to this court to transfer the petition. Hence, pass the following:

ORDER

I.A.No.4 filed by the counsel for respondent No.2 is hereby rejected.

Evidence of respondent :