

Order below Exh.01 in Cri.M.A.No.99/2025
(CNR No.MHOS01-002408-2025)

This application is filed for transfer of S.C.C. No.758/2018 pending on the file of Jt.Civil Judge, J.D. & J.M.F.C., Kallam to the another Court. Applicant Varsha Hajgude has filed this application on the ground that the said proceeding is pending, since, the year 2018 and despite this fact the matter is not tried expeditiously. It is submitted that the accused No.1 in the said proceeding is practicing advocate and he influences the Court. It is alleged that the said Court is favouring the accused No.1/present non-applicant No.2. Further, it is alleged that the record of the proceeding is given to the the accused whereas the said opportunity is not given to the applicant/original informant. According to the applicant, she does not have any hopes for getting justice before the said trial Court.

2. On behalf of non-applicant No.1 say is filed vide Exh.7 wherein it is submitted, there is substance in the present application and hence prayed to pass the appropriate order.

3. Non-applicant Nos.2 to 5 have field their say vide Exh.9 denying all the allegations made in the application. It is submitted that the evidence of the present applicant is recorded before the learned trial Court. Though, the present applicant is not an advocate she pretends to be an advocate and tries to influence the Court staff and troubles them. It is submitted that, in case R.C.C. No.29/2013 between the same parties, the evidence of present applicant is to be recorded but she deliberately remains absent in the said proceeding. In R.C.C. No.126/2018 between the same parties, the the examination-in-chief of the applicant is recorded but on the various reasons she had not co-operated for the same. It is submitted that, in R.C.C. No.126/2018 the

applicant had filed application Exh.126 before the trial Court to recall the witness and after arguments the trial Court has rejected the same and due to which the applicant has filed the present application immediately. Again, in S.C.C. No.758/2018 between the same parties, present applicant is accused No.5 which is being protracted by her. In R.C.C. No.60/2019, the applicant is remaining absent and deliberately evaded to give evidence before the Court. Further, in R.C.C. NO.81/2022, the applicant is informant but she is prolonging the final argument. Finally, it is prayed to reject the present application.

4. I have heard the applicant, counsel for the non-applicants, and perused the record before me. Both of them submitted in tune of their respective pleadings.

5. I have also called the report of the trial Court which is at Exh.12. Learned trial Court has forwarded the entire order sheet of the proceeding. I have perused the same. It is the matter of record that the presiding officer was posted at Kallam since June-2025. This transfer petition is filed by the applicant within few months from the joining of the said presiding officer. It is the matter of record that, evidence of complainant in S.C.C. No.758/2018 is recorded but as the advocate of accused No.5/present applicant was absent, detailed 'no cross-examination' order is passed by the trial Court. It is rightly submitted on behalf of the non-applicants that the applicant has deliberately filed the present application to protract the proceedings before the learned trial Court. There is no ground made out by the applicant to transfer S.C.C. No.758/2018 as prayed. Allegations levelled against the presiding officer seems to be baseless. Hence, I pass the following order :

ORDER

Application stands rejected.

(Dictated and declared in open Court.)

Date: 20-03-2026.

(A.D. Deo)
Sessions Judge, Osmanabad.

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer	A.S.Aghor, Stenographer (Grade-I)
Court	District Court, Osmanabad (On Deputation)
Date	20-03-2026
Order signed by the Presiding Officer on	24-03-2026
Order uploaded on	30-03-2026