



UPKJ010019432026

IN THE COURT OF THE DISTRICT JUDGE, KANNAUJ

Miscellaneous Case No. 46/74/2026

Shri Krishna Vs. Itwari Lal (Deceased) & Ors.

**Dated: 03.07.2024**

The present miscellaneous case was taken up. The applicant Shri Krishna has filed a transfer application (Paper No. 3C), supported by an affidavit (Paper No. 4C), stating that Original Suit No. 251 of 2003, Itwari Lal vs. Shri Krishna & Others was instituted by the Opposite party No.1 and Original Suit No. 337 of 2002, Om Prakash vs. Itwari was instituted by Opposite Party No. 2. Earlier, both suits were pending before the same Court. At present, Original Suit No. 337 of 2002, Om Prakash vs. Itwari is pending before the Court of the Additional Civil Judge (J.D.) -01, Kannauj, whereas Original Suit No. 251 of 2003, Itwari Lal vs. Shri Krishna & Others is pending before the Court of Civil Judge (J.D.)/F.T.C.-I, Kannauj. It has been submitted that the subject matter of both suits is the same and the parties are also substantially identical. Accordingly, a prayer has been made that both the aforesaid original suits be transferred to and tried by one and the same Court.

Heard. Reports were called for from the Courts concerned regarding the averments made in the transfer application.

As per the reports submitted by the Presiding Officers concerned, the aforesaid case records are pending before their respective Courts. Since the subject matter of both the original suits is the same and the parties are also substantially identical earlier both the cases were tried by same court and the transfer application is duly supported by an affidavit, it appears just and proper that both suits be decided by one Court. Accordingly, the transfer application deserves to be allowed.

### **ORDER**

The transfer application (Paper No. 3C) filed by the applicant, Shri Krishna, is hereby allowed. Original Suit No. 251 of 2003, Itwari Lal vs. Shri Krishna & Others, is withdrawn from the Court of the Civil Judge (J. D.)/F.T.C.-I, Kannauj and is transferred to the Court of the Additional Civil Judge (J.D.)-01, Kannauj, for disposal in accordance with law.

Accordingly, the present miscellaneous case stands disposed of.

**District Judge,  
Kannauj**