



2026:CGHC:18799



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 480 of 2026

1 - Ku. Poonam Choubey D/o Pt. Ramesh Kuamr Choubey Aged About 44 Years Occupation Cultivator Caste Bramhan R/o Village Gharghoda, Ward No. 10, Tahsil Gharghoda , District- Raigarh (C.G.)

... Petitioner(s)

versus

1 - Manorath Prasad Purseth S/o Govind Ram Purseth Aged About 62 Years Occupation Service Caste Teli R/o Village Gharghoda (Nawapara) Police Station And Tahsil Gharghoda , District- Raigarh (C.G.)

2 - Pt. Ramesh Kumar Choubey S/o Late Murlidhar Choubey Aged About 72 Years Occupation Jyotishi Pandit, By Caste Bramhan R/o Gharghoda, Tahsil Gharghoda , District- Raigarh (C.G.)

3 - Rituraj Choubey S/o Pt. Ramesh Kumar Choubey Aged About 39 Years Occupation Shopkeeper Bramhan R/o Gharghoda, Tahsil Gharghoda , District- Raigarh (C.G.)

4 - Devraj Choubey S/o Pt. Ramesh Kumar Choubey Aged About 36 Years Occupation Shopkeeper Bramhan R/o Gharghoda, Tahsil Gharghoda , District- Raigarh (C.G.)



5 - Bobby Choubey S/o Pt. Ramesh Kumar Choubey Aged About 32 Years Occupation Shopkeeper Bramhan R/o Gharghoda, Tahsil Gharghoda , District- Raigarh (C.G.)

6 - Smt. Yamini Sharma D/o Pt. Ramesh Kumar Choubey Aged About 37 Years Occupation Housewife W/o Rakesh Sharma (Krishi Upaj Mandi) R/o Village And Post Pahariya Tahsil Balauda (Wrongly Mentioned As Balaud) District - Janjgir- Champa (C.G.)

7 - Smt. Neelam Dwivedi D/o Pt. Ramesh Kumar Choubey Aged About 45 Years Occupation Housewife W/o Rajmani Dwivedi (Police) Caste Bramhan R/o Janjgir Champa, District - Janjgir- Champa (C.G.)

8 - State Of Chhattisgarh Through Collector, Raigarh , District- Raigarh (C.G.)

... Respondent(s)

For Petitioner(s)	:	Shri Abhinav Tiwari, Advocate
For Respondent No.8/State	:	Ms.Richa Sahu, PL

(Hon'ble Shri Justice Ravindra Kumar Agrawal)

Order on Board

23/04/2026

Heard.

2. The instant writ petition under Article 227 of the Constitution of India has been preferred by the petitioner assailing the order dated 12.03.2026 passed by the learned Principal District Judge, Raigarh in MJC Civil No. 216/2025 whereby the application filed by the petitioner under Section 24 of the Code of Civil Procedure, 1908 seeking transfer of the Civil Suit No. 09-A/2018 from the Court of Civil Judge, Junior Division Gharghoda to any other competent court having similar



jurisdiction has been rejected.

3. Learned counsel for the petitioner submits that several applications filed by the petitioner during the course of trial have been consistently rejected by the learned trial court by imposing costs. It is further contended that on 18.11.2025 owing to a religious function at the petitioner's residence, an application for adjournment of the proceedings was moved, which was rejected and consequently, petitioner's right to lead evidence was closed.

4. It is also alleged that defendant No.1 had earlier assaulted the petitioner/plaintiff and is stated to have close proximity with the Presiding Officer of the trial Court, giving rise to an apprehension that the petitioner would not receive a fair adjudication and therefore on such grounds, an application for transfer of the suit from Gharghoda to another Competent Court within the Raigarh District was preferred. It is contended that no prejudice would be caused to the respondents (opposite party) if such transfer is allowed. However, the said application has been dismissed by the learned Principal District Judge, Raigarh in a mechanical manner, warranting interference by this Court.

5. I have heard learned counsel for the petitioner perused the material annexed with the petition.

6. From the perusal of the entire material produced by the petitioner, it emerges that the issues in the suit were framed on 02.11.2023 and the matter was fixed for the plaintiff's evidence on 05.01.2024. Thereafter, multiple opportunities were granted to the petitioner for leading



evidence. Although an affidavit under Order XVIII Rule 4 of CPC was filed and two witnesses were produced on 07.11.2024, the petitioner failed to produce the witnesses for their examination despite the case was fixed on 13.12.2024, 06.05.2025, 26.07.2025, 23.08.2025, 26.06.2025, 01.10.2025, 16.10.2025, 28.10.2025, 06.11.2025 and finally on 18.11.2025. On the last date, a final opportunity was granted, yet the petitioner failed to proceed resulting in closure of her right to lead evidence.

7. The ground raised by the plaintiff/petitioner for transfer is an apprehension of not receiving justice from the trial court. However, such apprehension, in the absence of cogent material, cannot constitute a valid ground for transfer of a civil suit. The orders passed by the learned trial court, if adverse, can very well be challenged before the appellate or superior forum in appropriate proceedings. Mere dissatisfaction with the judicial orders does not justify transfer of proceedings.

8. Upon due consideration of the material on record, I do not find any sufficient or compelling ground to interfere with the impugned order or to direct transfer of the Civil Suit from the Court of Civil Judge, Junior Division, Gharghoda to any other Court.

Accordingly, the writ petition fails and is hereby dismissed.

Sd/-
(Ravindra Kumar Agrawal)
Judge