

Vandana Sharma vs. Vishal Acharya and others

Cr. MMO No. 1103 of 2025

Reserved on: 14.11.2025

27.11.2025 Present: Ms Rekha Thakur, Advocate, for the petitioner.

Cr.MP No. 4987 of 2025

The applicant/petitioner has filed the present petition for transfer of proceedings in Case No. 7/2016, titled Vandana Sharma Vs. Vishal Acharya and another pending before the learned Judicial Magistrate First Class, Palampur, District Kangra, to the Court of competent and similar jurisdiction in District Una.

2. The applicant/petitioner has annexed a copy of the order passed by the Hon'ble Supreme Court of India in case titled *Vandana v. Vishal Acharya, Transfer Petition (Civil) No.1945-1946/2021* (Annexure P-2), vide which the Hon'ble Supreme Court dismissed the transfer petition filed by the petitioner. The applicant/petitioner has also annexed a copy of the order passed by Coordinate Bench of this Court in case titled *Vandana Sharma v. Vishal Acharya, CMPMO No. 405 of 2025, decided on 21.7.2025*, vide which the Coordinate Bench declined to entertain the transfer petition because the judicial propriety demands that this Court should not pass an order which amounts to overreaching the order passed by Hon'ble Supreme Court

of India. The Coordinate Bench proceeded to defer the consideration of the matter to enable the applicant/petitioner to approach the Hon'ble Supreme Court of India to seek appropriate direction.

2. Since the Hon'ble Supreme Court of India and the Coordinate Bench of this Hon'ble Court have not entertained the petition for transfer, therefore, it would be highly improper for this Court to pass any order regarding the transfer of the petition.

3. Keeping in view the judicial propriety, the hearing of this matter is deferred by four weeks, enabling the applicant/petitioner to approach the Hon'ble Supreme Court to obtain appropriate orders.

List the matter after six weeks.

(Rakesh Kainthla)
Judge

27th November 2025
(Chander)