



complainant is persistently lingering on the matter by remaining absent from the Court and this transfer application also carries the same purpose, which is otherwise has no merit.

Heard and record perused.

It is an admitted position that the entire evidence has been recorded in the case by the predecessor of the present Trial Judge of the Trial Court, before whom the matter has been fixed for final arguments since 14.09.2024. Nothing has been brought on the file in support of the allegation made against the Trial Judge. Self-procured mistrust and mere expression of no confidence in the Trial Judge should not be encouraged to justify transfer of cases from Trial Judge particularly where no specific allegation of partisanship for reason of any type of adverse interest is alleged or proved and where the Trial Judge is not alleged to have any bias against the applicant or to have any soft corner for any reason for respondent party. While exercising jurisdiction to transfer cases from Courts, balance has to be struck in order to ensure that the cases are not transferred merely on the basis of supposition, unfounded and conjectural apprehension. Hence, this application, disclosing no grounds warranting transfer of the case, is dismissed accordingly.

CHIEF JUSTICE