



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

TRANSFER APPLICATION (CIVIL) No. - 286 of 2025

Devi Prasad @ Devi Prasad Verma And Others

.....Applicant(s)

Versus

Add. District Judge-7, Lucknow And Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Suresh Chandra Shukla
Counsel for Opposite Party(s) : Syed Aftab Ahmad

Court No. - 20

HON'BLE SYED QAMAR HASAN RIZVI, J.

1. Heard Sri Suresh Chandra Shukla, learned counsel for the applicants and Sri Syed Aftab Ahmad, learned Standing Counsel for the respondent no. 2-U.P. Shia Central Waqf Board, Lucknow.

2. By means of the present application under Section 24 of the Code of Civil Procedure, the applicants have prayed for the following relief:-

"pleased to transfer the Misc. Civil Appeal No. 43 of 2014 (Smt. Sunder Devi Versus U.P. Shia Central Waqf Board & other), under Order 43 Rule 1 CPC from Additional District Judge-7, Lucknow to any other competent Court of nearby district and stay the aforesaid proceedings during the pendency of this transfer application."

3. The contention of the learned counsel appearing on behalf of the applicants is that the allegation as made in the present application is that the appeal having Misc. Civil Appeal No. 43 of 2014 (Smt. Sunder Devi Versus U.P. Shia Central Waqf Board and another) filed under Order 43 Rule 1 CPC, pending in the Court of District Judge-7, Lucknow was listed on 26.08.2025. On that date, when Sri K.K. Dwivedi, Advocate, who appeared on behalf of the appellant, was ill-treated by the private opposite parties and was threatened in as much as to withdraw his Vakalatnama. It is submitted by the learned counsel appearing on behalf of the applicants herein that his counsel namely Sri K. K. Dwivedi, Advocate withdrew his Vakalatnama (C-98) from the aforesaid appeal that is pending in the Court of learned

Additional District Judge-VII, Lucknow.

4. It has been very emphatically submitted by the learned counsel appearing on behalf of the applicants that one Sri Kaifi Ahmad, Advocate along with his associates attacked the applicant no. 1 namely Devi Prasad and threatened him not to pursue the case.

5. It is also brought to the notice of the Court that the applicant herein has reported the matter to the authorities namely District & Sessions Judge, Lucknow, Bar Council of Uttar Pradesh and the concerned Police Station. Photo-stat copies of complaints sent through Registered Post to the aforesaid authorities are annexed herewith this petition as Annexure No. 2

6. In case if the allegations made in the present petition are accepted as correct on its face value then it is a matter of serious concern that such incidents are taking place causing interruption in the dispensation of justice, thus giving bad name to the justice delivery system.

7. Let notices be issued to the private opposite parties i.e. Opposite Party Nos. 3 & 4, returnable at an early date.

8. Steps for service of notice be taken within three working days.

9. Sri Badrish Kumar Tripathi, learned Additional Chief Standing Counsel for the State of Uttar Pradesh, who is present in the Court is directed to communicate this order to the learned District & Sessions Judge, Lucknow, who shall look into the matter and may obtain a report from the concerned Court to ascertain the correctness of the allegations as have been made by the applicants in the present transfer application. It is expected that the learned District & Sessions Judge, Lucknow shall communicate its opinion and the report of action, if any, to this Court by the next date fixed in the matter.

10. Put up this matter on 28.11.2025 as fresh.

November 6, 2025
Arun

(Syed Qamar Hasan Rizvi,J.)