**Court No.3**

**HIGH COURT OF SIKKIM**
Record of proceedings

**Tr.P. (C) No. 01 of 2026**

MAN BAHADUR RAI ..... PETITIONER

VERSUS

UMESH KUMAR MUNDRA ..... RESPONDENT

Date: 10.06.2026

CORAM :

**HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.**

For Petitioner : Mr. N. Rai, Senior Advocate with
Ms. Tara Devi Chettri, Advocate.

For Respondent No.1. : Ms. Subaksha Pradhan, Advocate.

For Respondent No.2. : None.

For Respondent Nos.3 & 4. : Mr. S.K. Chettri, Government Advocate.

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**1.** Petition for transfer of Title Suit No.13 of 2025 presently pending before the Court of the learned District Judge, Mangan to the Court of the learned District Judge, Gangtok where the suit property is situated has been filed.

**2.** Admittedly, the suit was originally filed in the Court of the learned District Judge, Gangtok as the suit property was situated within the jurisdiction of that Court. However, due to a situation this Court on the administrative side had transferred the case to the learned District Judge, Mangan.

**3.** The learned Senior Counsel representing the petitioner submits that although the issue continues to survive, insofar as the present learned District Judge of Gangtok is concerned, now there are the Courts of the learned District & Sessions Judge, Special Division-I and Special Division-II which are also functioning in Gangtok. Therefore, the matter could be transferred back to one of these Courts to proceed further.

**4.** The learned counsel representing the respondents agrees that it is so and that the respondents have no objection for the transfer. I am therefore, of the view that this is a fit case where this Court

should exercise its power under section 24 of the Code of Civil Procedure, 1908 and transfer Title Suit No. 13 of 2025 Titled ***Shri Man Bahadur Rai*** versus ***Shir Umesh Kumar Mundra and others*** from the Court of the learned District Judge, Mangan to the Court of the learned District Judge, Special Division-II for its disposal. It is accordingly, so ordered. Pending application if any, is also disposed of.

**Judge**

Index: ~~yes~~/No
to/ Internet: yes/~~No~~