

Narender Sharma & Ors vs Raj Kumar & Anr on 21 March, 2018

Author: R.K.Gauba

Bench: R.K.Gauba

\$~1

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

TR.P.(C.) 141/2017 & CM Nos. 29950-51/2017

NARENDER SHARMA & ORS

..... Petitioners

Through: Mr. Mahesh Verma, Adv.

versus

RAJ KUMAR & ANR

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% 21.03.2018 The civil suit (CJ 618086/2016) Narender Sharma & Ors. vs. Raj Kumar & Anr. presently pending in the court of Additional District Judge, Central at Tis Hazari Courts, Delhi was initially presented on the original side of this Court as CS (OS) 256/2013. On change of pecuniary jurisdiction, it stood transferred to the district court and in terms of order dated 07.12.2015 of the Joint Registrar, was made over to the District Judge of the Central District at Tis Hazari. As per the submissions of the petitioners, they being the plaintiffs of the suit, the property bearing no. 2852/14, Vishram Nagar, Tri Nagar, Delhi -110035 located in the area of police station Keshav Puram falls within the territorial jurisdiction of the district courts for North-West located at Rohini Courts Complex. The prayer is for transfer of the case from the court of Additional District Judge for Central District at Tis Hazari to the court of competent jurisdiction for the TR.P.(C.) 141/2017 page 1 of 2 said district at Rohini Courts Complex. The respondents were duly served and had even appeared on 22.11.2017 but did not file any reply. They have not appeared at the hearing. It has to be assumed that they have no objection to the prayer in the transfer petition.

Thus, the transfer petition is allowed. The afore-mentioned civil suit is withdrawn from the court of Additional District Judge for Central District at Tis Hazari and transfer to the court of District Judge for North-West at Rohini Courts Complex for further proceedings in accordance with law. The District Judge, North-West will have the discretion to retain the matter on his board or allocate it to any Additional District Judge under his control within the same district.

The transferor court shall send the file complete in all respects to the transferee court after fixing an appropriate date for the parties to appear there.

The petition and the applications filed therewith are disposed of in above terms.

R.K.GAUBA, J

MARCH 21, 2018
nk

TR.P.(C.) 141/2017

page 2 of 2