

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: February 02, 2010

+ TRP 3/2010

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Anokhey Lal Kardam

Through: Mr. Madan Lal Kalkal, Advocate

Versus

Maitrey Budh Vihar Prabandhak Samiti

Through:

02.02.2010

...Petitioner

...Respondent

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

ORAL

1. This petition has been preferred by the petitioner for transfer of the Suit No.596 of 2007 along with M. 52 of 2008 titled as Maitrey Budh Vihar Prabandhak Samiti versus Anokhey Lal Kardam & Suit No.1305 of 2007 titled as Dhamma Priya Gautam versus Anokhey Lal Kardam from the Court of Shri Pulshtiya Parmachala.

2. The petitioner had made an application under Section 24 to the learned District Judge having administrative and subversary jurisdiction and the learned District Judge after considering the submissions made in the application and considering the fact that even an earlier application made on similar ground was dismissed, dismissed the application made by the petitioner under Section 24 for transfer of the case to another Civil Court. By the present petition, petitioner does not challenge the order passed by learned District Judge, but makes another application to this Court for transfer of the case from Civil Judge who was trying the case to another Civil Judge.

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3. Since this Court and the learned District Judge have concurrent powers under Section 24 to transfer the case, from one Civil Judge to another. Once the power has been exercised by the District Judge and application declined, another application would not lie before this Court. The petition is hereby dismissed. No orders as to costs.

February 02, 2010
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SHIV NARAYAN DHINGRA J.