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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ TR.P.(C.) 69/2010

GARDENIA ESTATES PVT LTD Petitioner
Through: Mr. P.D. Gupta with Mr. Kamal
Gupta, Adv.

versus

MADHU GUPTA Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE VEENA BIRBAL

ORDER
23.11.2010

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TR.P.(C.) 69/2010 & CM 20908/2010

Present is a transfer petition filed under Section 24 of CPC praying for transfer of eviction petition filed by the petitioner from Saket courts to Patiala House Courts.

Learned counsel for the petitioner has submitted that an eviction petition bearing No.E-81/2010 was filed against the respondent in respect of property at 138-A, Golf Links, New Delhi, before the Rent Controller, Patiala House Courts wherein the respondent has been served and has also filed a leave to defend application. The petitioner has also filed his reply thereto. Thereafter on the starting of Courts at Saket the aforesaid petition was transferred there and is pending disposal before Ld. CCJ/ARC/ACJ (South District) at Saket

Signature Not Verified. It is stated that before the Saket court, the respondent
Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

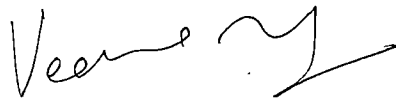
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has taken an objection stating that the petitioner's eviction petition ought to be tried by the Rent Controller at Patiala House Court and not at Saket Courts, owing to territorial jurisdiction and the next date fixed for hearing the said objection is 04.12.2010.

It is submitted that to avoid any technical objection, the petitioner requests that the abovesaid eviction petition may be transferred to Patiala House courts.

It may be mentioned that the matter is listed for hearing at Saket Court on 04.12.2010. The controversy of jurisdiction is still pending consideration before learned ARC at Saket Courts. Under these circumstances, it will not be appropriate to pass any order on this petition, at this stage.

Accordingly, the petition stands dismissed.



VEENA BIRBAL,J

NOVEMBER 23, 2010
srb