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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ TR.P.(C.) 68/2010

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

versus

BHARTI LAIQ Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE VEENA BIRBAL

ORDER

% 23.11.2010

TR.P.(C.) 68/2010 & CM 20909/2010

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-79/2010 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 had been served and had also filed a leave to defend application. It is submitted that on the starting of Courts at Saket the aforesaid petition has been transferred to Saket Courts and is presently pending disposal there before CCJ/ARC/ACJ (South District). It is stated that before the said court, the respondent has moved an application contending

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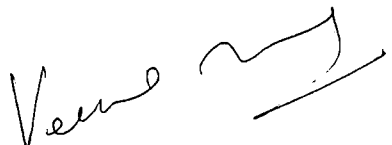
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that the eviction petition has to be tried at Patiala House courts and not at the Saket court. The said application is pending consideration and next date fixed is 04.12.2010.

Learned counsel has submitted that to avoid any technical objection, the petitioner prays that the aforesaid eviction petition may be transferred to Patiala House courts.

It may be mentioned that the application in this regard is already pending consideration before the learned trial court at Saket and is listed for hearing 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 at this stage on this petition.

The petition therefore stands dismissed.


VEENA BIRBAL,J

NOVEMBER 23, 2010
srb