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

+ TR.P.(C) 34/2010

CHANDER MOHAN GUPTA

..... Petitioner

Through:

Mr. Alok Sinha and Mr. Nitin Gupta,
Advocates.

versus

VIKRAM KUMAR JAIN AND ORS

..... Respondents

Through:

Mr. K.D.Sen Gupta with Ms. Aahuti
Sharma, Advocates for defendants No. 1 to
6.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

ORDER

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03.12.2010

Petitioner in this case has filed suit in 1972 for partition in respect of his property. That suit was transferred to the Court of Additional District Judge on account of enhancement of pecuniary jurisdiction forthwith 2003. The petitioner seeks transfer of those proceedings to the file of this Court and contends that another suit has been instituted.

It is argued that in case both the proceeding go ahead independently, there is likelihood of conflicting decisions.

According to the petitioner's submissions the suit pending before the Additional District Judge transfer of which is sought by this petition is at the stage of final arguments. In these circumstances, the Court is of the opinion that it would be inappropriate to transfer the matter from the Court of Additional District Judge as that would entail a further delay. However, the Court is also of the opinion that since suit was instituted in 1972 is a considerably old matter, the concerned Additional District Judge

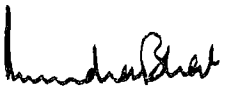
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(at present being Sh. Sanjeev Jain) endeavour to complete the proceedings as early as possible and preferably within eight months from today. It is also open for the judge to consider any request for mediation and pass appropriate orders.

Transfer petition is disposed of in the above terms.

Order dasti.

DECEMBER 03, 2010
mr


S. RAVINDRA BHAT, J