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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ TR.P.(C.) 69/2014

S.HARMEET SINGH

..... Petitioner

Through: Mr. Atul Agarwal, Advocate with
petitioner in person

versus

S. DALIP SINGH (DECEASED) THROUGH: L.R. Respondent

Through: Mr.R.S.Sahni, Advocate for LR
No.(iv) Mr.Saranjit Singh

AND

+ TR.P.(C.) 32/2015

S HARMEET SINGH

..... Petitioner

Through: Mr. Atul Agarwal, Advocate with
petitioner in person

versus

S DALIP SINGH & ORS

..... Respondents

Through: Mr.R.S.Sahni, Advocate for LR
No.(iv) Mr.Saranjit Singh

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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17.08.2015

CAV No.475/2015 in TR.P.(C.)32/2015

With the appearance of the learned counsel for the
respondents/applicants, caveat stands discharged.

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TR.P.(C.) Nos.32/2015 & 69/2014

1. By way of these transfer petitions filed under Section 24 read with Section 151 CPC, the petitioner is praying for transfer of suit Nos. 19/2013 & 565/2013 pending in the Court of Shri Nipun Awasthi, CJ, West District, Delhi to Central District.
2. Learned counsel for the petitioner submits that earlier the litigation between the parties was pending in Central District and now the same is pending in West District. It has been submitted that at the time of filing of these petitions CS(OS) Nos.19/2013 & 565/2013 are pending in the Court of Shri Nipun Awasthi, CJ, West District, Delhi.
3. Learned counsel for the respondent submitted that as on date there are two civil litigations pending between the parties out of which one is suit for possession and another is suit for permanent injunction. Both the matters are now pending before the Court of Mr.Sanatan Prasad, Civil Judge, Delhi. Learned counsel for the respondent further submitted that the grievance of the petitioner as mentioned in the transfer petition is against the predecessor of Mr.Sanatan Prasad, Civil Judge, West District, Delhi and even that grievance has been redressed due to transfer and posting orders that came into effect after filing of these petitions.
4. Learned counsel for the petitioner has not disputed the above facts i.e. the two civil suits between the parties in respect of the same subject matter are pending trial before the Civil Court presently presided over by Mr.Sanatan Prasad, Civil Judge, Delhi. Learned counsel for the petitioner also submits that the petitioner is now left with no grievance and the transfer petitions may be dismissed.

5. At the stage when the transfer petitions were filed, the cases were pending trial before the predecessor of Mr.Sanatan Prasad, Civil Judge, Delhi. Now the petitioner has no grievance against the learned Civil Judge before whom the two civil suits are pending trial. The petitioner being left with no reason to seek transfer the two civil suits, the transfer petitions are dismissed as having become infructuous.

6. No costs.

7. A copy of this order be given *dasti*.

CM No.8644/2015 in TR.P.(C.)32/2015
CM No.12932/2014 in TR.P.(C.)69/2014

Dismissed.


PRATIBHA RANI, J.

AUGUST 17, 2015/ 'pg'