

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

+ **TR.P(C) No.26/2014**

% 28th March, 2014

MRS. MONICA MALIKPetitioner
Through: Ms. Gurmeet Bindra, Advocate.

VERSUS

MR. AMIT MALIK Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE VALMIKI J.MEHTA

To be referred to the Reporter or not?

VALMIKI J. MEHTA, J (ORAL)

1. There is no merit in the petition under Section 24 of Code of Civil Procedure, 1908 (CPC) for various reasons inasmuch as neither pleadings of the cases which are proposed to be transferred have been filed, and nor the common questions of law and fact in the two cases have been stated. More importantly, the basic ground seeking transfer under Section 24 of Code of Civil Procedure, 1908 (CPC) is only the convenience of a party i.e petitioner herein.

2. Merely because now there are more than one district courts in Delhi, and that one of the district courts is nearer than other district court, the same is not a ground for invoking or exercising powers under Section 24 CPC. If the prayer of the petitioner is allowed, then, consolidation of cases will prejudice trial of the earlier case which is at an advanced stage.

3. Dismissed.

MARCH 28, 2014
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VALMIKI J. MEHTA, J