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

+ TR.P.(C.) 5/2016

MANALI SINGHAL AND ANR

..... Petitioners

Through Mr Prosenjeet Banerjee, Ms. Mansi
Sharma and Mr. Deepak Singh Rawat,
Advs.

versus

RAVI SINGHAL AND ORS

..... Respondents

Through None.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **19.01.2016**

C.M. No.1943/2016 (Exemption)

Exemption is allowed subject to all just exceptions.

Application disposed of.

TR.P.(C.) 5/2016 & C.M. No.1942/2016

The petitioners are seeking transfer of suit i.e. CS (OS) No.2583/1997 titled Manali Singhal Vs. Ravi Singhal which is stated to be pending before the Court of District and Sessions Judge, Saket to the Court of District and Sessions Judge, Patiala House as it has been pointed out and as noted in the order dated 13.01.2016 that since the parties are residents of Vasant Vihar, the suit jurisdiction should fall within the New Delhi District and not the south district. This order was passed by the District and Sessions Judge on 13.01.2016 in the presence of the parties; defendants No. 1, 2-A, 3 & 4 were duly represented before the District and Sessions Judge.

Learned counsel for the petitioners additionally points out that in terms of the directions of this Court dated 24.09.2015 and 23.12.2015, the learned Local Commissioner has to complete the evidence within a timeframe and this timeframe is to expire shortly and in this view of the matter, notice is also not required to be issued to the respondents as they were aware of the order passed by the District and Sessions Judge on 13.01.2016; he additionally informs this Court that he shall intimate to defendants No. 1, 2-A, 3 & 4 through service through registered A.D. post directly as also through counsel within an outer limit of 2 days.

Accordingly, this Court is of the view that this is just a formal order which is required to be passed as on 13.01.2016, the District and Sessions Judge had already passed an order that she does not have the jurisdiction to deal with the matter and the matter should be transferred to the District and Sessions Judge, Patiala House, New Delhi. The order dated 13.01.2016 is given effect to and the District and Sessions Judge, Saket is directed to transfer the record of CS (OS) No.2583/1997 to the Court of District and Sessions Judge, Patiala House. Parties are directed to appear before District and Sessions Judge, Patiala House, New Delhi on 25.01.2016.

Petition disposed of.

Order dasti under the signature of the Court Master.

INDERMEET KAUR, J

JANUARY 19, 2016

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