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

+ CS(OS) 1801/2012

NARENDER KUMAR Plaintiff
Through Mr.Nitish Angrish, Adv.

versus

DEVENDER & ORS Defendants
Through Mr.Pradeep Kr. Arya, Adv.

+ EX.P. 31/2014

NARENDER KUMAR Decree Holder
Through Mr.Nitish Angrish, Adv.

versus

DEVENDER & ORS Judgement Debtors
Through Mr.Pradeep Kr. Arya, Adv.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% 05.01.2016

The plaintiff filed the suit for specific performance of contract/ agreement dated 24th February, 2011 and for permanent injunction. The ex-parte decree was passed by order dated 29th November, 2013. Since the defendants failed to execute the sale deed, the same was executed by an officer of this Court. The admitted position is that the possession has not been handed over by the defendants for which the execution is pending for consideration.

In the meanwhile the defendants have also filed an application under Order IX Rule 13 CPC, being I.A. No.723/2015, as well as for stay of the order passed.

The valuation of the suit is Rs.95 lac. Learned counsel for both the parties state that in view of the peculiar facts and circumstances of the case, both the suit as well as the execution are to be transferred and the same are to be taken up together.

With the consent of the parties, in view of Section 4 of the Delhi High Court (Amendment) Act, 2015 and the order passed on 24th November, 2015, both the matters are transferred to the District Judge (West), Tis Hazari Court, Delhi. Parties to appear before the concerned Court on 18th March, 2016.

JANUARY 05, 2016/jk

MANMOHAN SINGH, J.