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

+ TR.P.(C.) 74/2016

TILAK RAJ BHALLA Petitioner
Through Mr.H.S.Kohli, Advocate

versus

SHARDA RANI & ORS Respondents
Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **09.11.2016**

1. By the present petition filed under Section 24 of the CPC, the petitioner seeks transfer of the suit being No.39/2016, pending in the court of Sh.Traun Sherawat, ADJ (Central), Delhi to the court of competent jurisdiction in West District, Delhi.
2. The petitioner has filed a suit for cancellation of sale deed dated 26.11.1997 and other consequential reliefs regarding the property bearing No.B-79, Hari Nagar, New Delhi have been sought.
3. The suit was listed before this court. However on account of enhancement of pecuniary jurisdiction of the district courts, the suit was transferred by this court to the district court. It is urged that the courts in the central district do not have territorial jurisdiction to try and decide the matter as the property is not situated there, nor any of the defendants resides in the territorial jurisdiction of the central district. It is also urged that the property in question is situated in the territorial jurisdiction of the West District,

hence the District Court, West Delhi is the court of competent jurisdiction.

4. The learned counsel for the petitioner submits that the summons is yet to be served to the defendants. Hence, there is no need to serve the notice on the respondents.

5. In view of the above, the present petition is allowed. The suit being No.39/2016, pending in the court of Sh.Traun Sherawat, ADJ (Central), Delhi is transferred to the court of competent jurisdiction, West District, Delhi i.e. Tis Hazari Courts, West District, Delhi.

6. The petitioner may appear before the District Judge, Tis Hazari Courts, West District, Delhi on 08.12.2016 for appropriate order.

7. *Dasti.*

JAYANT NATH, J.

NOVEMBER 09, 2016/v