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

+ TR.P.(C.) 3/2014 & C.M. No.344/2014

AJIT SINGH & ANR

..... Petitioners

Through Mr. Amitabh Narayan, Advocate

versus

HANS RAJ & ORS

..... Respondents

Through None

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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11.03.2016

Respondents No. 1 to 5 and 7 to 10 have been served in terms of the last direction. None has appeared for them. Prayer made in the present petition is transfer of suit no. 51/03 which is a suit for recovery and mense profits titled Ajit Singh & Anr. Vs. Hans Raj & Ors. as also the second suit titled Suraj Bhan Vs. Ajit Singh & Anr. which is a suit for partition and possession being transferred to the Court where the first suit i.e. suit No. 775/2002 Ajit Singh & Anr. Vs. Hans Raj & Ors. is pending. The status and stage of the other two suits i.e. suit No. 51/03 titled as Ajit Singh Vs. Hansraj and 124/08/53/2009 titled Suraj Bhan Vs. Ajit Singh & Anr. have been detailed. In the first matter the amended plaint has been taken on record and written statement to the amended plaint was to be filed. In the second suit the plaintiff evidence

was in progress. The first suit which is suit no. 775/2002 (old) and 621/2014 (new) is at the stage of commencement of the evidence of the plaintiff. Issues have been framed. Record shows that all the suits are between the same parties and related to the same property and thus submission of the learned counsel for the petitioner is that all these suits may be clubbed together and be tried by one Court to avoid conflict of judgments.

Noting the above position, petitioner's prayer is allowed. Suit no. 51/03 detailed as Ajit Singh Vs. Hans Raj pending before Additional District Judge (West), Central Delhi and suit no. 124/08/53/2009 titled Suraj Bhan Vs. Ajit Singh and Anr. pending before Court of Additional District Judge, Central are transferred to the Court where the first suit i.e. 755/2002 (old) 621/2014 (new) titled as Ajit Singh Vs. Hans Raj is pending which is stated to be pending before the Court of Additional District Judge (West), Tis Hazari Courts. All the suits will be tried by the same Court.

Parties to appear before the District & Sessions Judge (West), Central Delhi as also District and Session Judge, Central on two separate dates on which date the learned District & Sessions Judge (West) and learned District and Sessions Judge (Central) will pass appropriate orders for transfer of suit No. 51/03 titled Ajit Singh v. Hans Raj and 124/08/ 53/2009 titled Suraj Bhan Vs. Ajit Singh and Anr to the Court where the first suit is pending.

List before learned District & Sessions Judge (West) on 22.03.2016.

List before learned District and Sessions Judge (Central) on

28.03.2016.

Petition disposed of.

Order dasti under signatures of Court Master.

INDERMEET KAUR, J

MARCH 11, 2016

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