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

+ **TR.P.(C.) 115/2016**

SHAHEED MEMORIAL SOCIETY (REGD) Petitioner

Through: Mr.R.K. Singh, Adv.

versus

PROMILA KISHORE (DECEASED)

THR HER LRS & ORS

..... Respondents

Through: Mr.Vineet Jhanji, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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03.10.2016

CM No.36912/2016 (*exemption*)

Allowed subject to all just exceptions.

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Counsel appearing on behalf of the respondents submits that he has no objection, in case the two suits which are subject matter of this petition are heard by the same Court. However, he submits that issues are different and the suits cannot be tried together.

Learned counsel for the petitioner has vehemently contended that the issues are similar in both the suits and common trial should be conducted in the said matters.

Keeping in view the above submissions suit bearing No.613274/2016 titled as Shaheed Memorial Society & Ors. Vs. Promila Kishore & Ors. pending in the Court of Ms.Kaveri Baweja, Additional District Judge, is

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transferred to the Court of Sh. S.S. Rathi, Additional District Judge, Patiala House Courts who is also hearing the suit, titled as Capital Land Builders Pvt. Ltd. Vs. Shaheed Memorial Society & Ors.

The Next date of hearing of the suit in Patiala House Courts is on 07th November, 2016.

The issue as to whether two suits can be tried together by leading common evidence will be adjudicated upon by the concerned court after giving an opportunity to the parties.

Transfer petition is allowed accordingly.

JAYANT NATH, J.

OCTOBER 03, 2016

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