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

+ TR.P.(C.) 10/2017 & CM No.2134/2017 (for stay)

RAJINDER KUMAR SHARMA Petitioner
Through: Mr. Rohan Sharma, Adv.

Versus

AJAY SHARMA & ORS Respondents
Through: Mr. Rahul Bora, Adv. for R-1 to 4.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **02.11.2017**

1. Transfer, under Section 24 of the Code of Civil Procedure, 1908 (CPC), is sought of Civil Suit No.145/2014 titled ***Rajinder Kumar Sharma Vs. Ajay Sharma*** pending in the Court of Dr. Kamini Lau, Additional District Judge (ADJ) (Central), Tis Hazari Courts, Delhi and Civil Suit No.9496/2016 titled ***Sarita Sehajpal & Ors. Vs. Rajinder Kumar Sharma & Anr.*** pending in the Court of Sh. Rakesh Kumar ADJ (West), Tis Hazari Courts, Delhi to one Court.

2. Though prayer is also made for consolidation of the two suits but the same is not within the jurisdiction of Section 24 of CPC and is to be decided by the Court in which the suits are pending.

3. Notice of the petition was ordered to be issued. Though only the respondents No.1&2 are reported to be served but Mr. Rahul Bora, Advocate appearing states that he is appearing for all the four respondents and has no objection to the transfer.

4. The petition is allowed; Civil Suit No.9496/2016 titled ***Sarita Sehajpal & Ors. Vs. Rajinder Kumar Sharma & Anr.*** pending in the Court of Sh. Rakesh Kumar ADJ (West), Tis Hazari Courts, Delhi is ordered to be transferred to the Court of Dr. Kamini Lau, ADJ (Central), Tis Hazari Courts, Delhi where Civil Suit No.145/2014 titled ***Rajinder Kumar Sharma Vs. Ajay Sharma*** is stated to be pending.

5. The Transferor Court is requested to physically transfer the suit file forthwith.

6. The parties to appear in the transferred suit before the Transferee Court on 6th November, 2017, when the suit already pending before the Transferee Court is stated to be listed next.

A copy of this order be given *dasti* under the signatures of the Court Master.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 02, 2017

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