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

+ **CS(OS) 54/2017**

SH. RAMESH TEWARI & ANOTHER Plaintiffs

Through: Mr.Manish Vashisht, Mr.Sameer
Vashisht and Ms.Trisha Nagpal,
Advs.

versus

POOJA TEWARI Defendant

Through: Mr.Prateek Yadav, Adv.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **03.05.2017**

IA No. 2687/2017

The present application has been rendered infructuous and is disposed of accordingly.

IA No. 2688/2017

Allowed subject to just exceptions.

Application stands disposed of.

CS(OS) 54/2017 & IA No. 1731/2017

The present suit for permanent injunction has been instituted on behalf of the parents in law of the solitary defendant.

I have heard learned counsel appearing on behalf of the parties; and perused the practice directions dated 23rd December, 2016, No.45/Rule/DHC issued by this Court, which are reproduced hereinbelow:-

"Hon'ble the Chief Justice, on the recommendations of the Hon'ble Judges of the Original Side, has been pleased to issue following practice directions for information and compliance by all concerned :-

1. In view of the Judgment dated 19.07.2016 passed by the

Hon'ble Division Bench of this Court on reference in CS (OS) No. 411/2010 & I.A. No. 12186/2010 titled "Amina Bharatram Vs. Sumant Bharatram and Others", all matters enumerated in Explanation to Sub-Section (i) of Section 7 and Section 8 of the Family Courts Act, 1984 shall be exclusively triable by the Family Courts and the jurisdiction of the High Court to the extent it exercises Ordinary Original Civil Jurisdiction in respect of such matters stands excluded by virtue of Section 8 (c)(ii) of the said Act. Such matters listed before this Court shall be transferred to the Family Courts by passing the necessary Orders in this respect on their dates of listing.

2. The Registry, henceforth, is directed not to accept such matters as enumerated in Explanation to Sub Section (i) of Section 7 and Section 8 of the Family Courts Act, 1984.

These Practice Directions shall come into force with immediate effect."

The present suit which has arisen out of a marital relationship between the parties, therefore, falls within the category of matters enumerated in Explanation to sub-section (i) of Section 7 of the Family Courts Act, 1984. In view thereof, and in terms of the aforesaid practice directions issued by this Court, the present suit is transferred to the Principal Judge, Family Courts, Tis Hazari Courts Complex, for further proceedings, in accordance with law. The parties are directed to appear before the Transferee Court on 16th May, 2017, in the first instance. All pending applications shall also be listed before the Transferee Court on the same date for further proceedings in accordance with law.

In the meantime learned counsel appearing on behalf of the defendant states that they shall maintain status quo as of today.

Directed accordingly.

SIDDHARTH MRIDUL, J

MAY 03, 2017

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