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

+ **TR.P.(C.) 25/2017, CM No.5598/2017 (for stay)**

MRIDULA PARTI & ANR Petitioners

Through: **Mr.Ujjawal Banerjee, Advocate**

versus

SUSHMA PARTI Respondent

Through: **Mr. Purshottam Singh, Advocate**

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

20.11.2017

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1. Transfer, invoking Section 24 of the CPC, is sought of Probate Case No.16035/2016 of the Court of Sh. Sanjay Kumar, Additional District Judge, Tis Hazari Courts, Delhi, to the Court of competent jurisdiction at Dwarka Courts, Delhi.
2. Notice of the petition was ordered to be issued and the respondent has filed reply and the counsel for the respondent appears.
3. Adjournment is sought on behalf of the counsel for the petitioners.
4. Transfer petitions cannot be kept pending for long. In the present case, the petition has already been adjourned on the earlier two occasions.
5. Transfer is sought on the ground of the learned Additional District Judge before whom the proceedings are pending, being biased in favour of the respondent, for having given adjournments to the respondent and having refused adjournments to the petitioners and having imposed costs on the petitioners.

6. The Probate Case is admittedly five years old. If the petitioners have any grievance with respect to any judicial order of the Additional District Judge, the petitioners have their remedy thereagainst. However, such judicial orders cannot be used to impute bias to the judges or to seek transfer from that court to another court.

7. Dismissed.

RAJIV SAHAI ENDLAW, J

NOVEMBER 20, 2017
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