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

+ **TR.P.(C.) 27/2017**

PREMRAJ SINGH

..... Petitioner

Through: Mr.Kali Charan, Advocate with
petitioner in person

versus

GHASITA RAM & ORS

..... Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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11.05.2017

1. This transfer petition has been filed by the petitioner seeking transfer of Suit No.7640/2016 titled as '*Prem Raj Singh Vs. Ghasita Ram & Ors.*' presently pending in the Court of Senior Civil Judge, Shahdara District, Karkardooma Courts, Delhi to the Court of Senior Civil Judge, North-East District, Karkardooma Courts, Delhi as the suit property comes under the jurisdiction of North-East District.

2. None has appeared on behalf of the respondents despite service.

3. Learned counsel for the petitioner has drawn the attention of this Court to the order dated 19th April, 2016 passed in CS No.7640/2016 by learned Senior Civil Judge, Shahdara District, Karkardooma Courts, Delhi which is extracted hereunder:-

*“Present: Sh.Kali Charna, ld. Counsel for plaintiff along
with plaintiff.
Sh.K.S.Rana, ld. Counsel for the defendant along
with defendant*

Both the parties have agreed that the suit property is situated in the area of Ghonda Chauhan Bangar which falls within the jurisdiction of North East District. Even as per notification No. PS/DIV.COM/MISC/2011/1948 dated 11.09.2002, the area of Ghonda Chauhan Bangar falls within the jurisdiction of North East District, Delhi. Accordingly, the present file be sent to Ld. District & Sessions Judge, Shahdara at 2 PM for appropriate directions.

Ahlmad is directed to send the file complete in all respect.

*Sd/-
SCJ/RC, Shahdara,
KKD Court
19.04.2016”*

4. Learned counsel for the petitioner submits that since the learned District & Sessions Judge is not vested with the power to transfer the case from one district to another, therefore, the request of learned Senior Civil Judge was declined and the matter was returned to the Court of Senior Civil Judge. Hence this transfer petition has been filed before this Court.

5. It is informed by learned counsel for the petitioner that next date of hearing in CS No. 7640/2016 pending before the Court of Senior Civil Judge, Shahdara District, Karkardooma Courts, Delhi is 7th July, 2017.

6. In view of the submissions made by learned counsel for the petitioner that the subject matter is situated in North East District, CS No. 7640/2016 titled as ‘*Prem Raj Singh Vs. Ghasita Ram & Ors.*’, is withdrawn from the Court of Senior Civil Judge, Shahdara District, Karkardooma Courts, Delhi and transferred to the Court of Senior Civil Judge, North East District, Karkardooma Courts, Delhi, for disposal in accordance with law.

7. Case file of CS No. 7640/2016 titled as '*Prem Raj Singh Vs. Ghasita Ram & Ors.*' be sent to the Court of learned District Judge, North East District, Karkardooma Courts, Delhi on or before 7th July, 2017.
8. Parties are directed to appear before learned District Judge, North East District, Karkardooma Courts, Delhi on 7th July, 2017.
9. A copy of this order be sent to the concerned District Judges as well concerned courts and be also given dasti to learned counsel for the petitioner.

PRATIBHA RANI, J.

MAY 11, 2017
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