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

+ TR.P.(C.) 28/2017

HABITAT INDIA

..... Petitioner

Through: Mr.Pushkar Taimini, Advocate

versus

DDA & ANR

..... Respondents

Through: Mr.Karan Sharma, Advocate for
DDA/R-1

Ms.Manorma Masih & Ms.Sandhya
Singh, Advocates for SDMC/R-2

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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04.05.2017

1. The present transfer petition has been filed by the petitioner seeking transfer of Civil Suit No.6726/2016 titled as '*Habitat India Vs. DDA*' presently pending in the Court of Ms.Navita Kumar Bagha, ADJ-01, South District, Saket to the Court of learned District & Sessions Judge, New Delhi, Patiala House Court.

2. Learned counsel for the petitioner submits that originally the suit was filed in the High Court of Delhi, however, on enhancement of pecuniary jurisdiction of the District Courts, the suit was transferred to the Court in South District, Saket, Delhi. Learned counsel for the petitioner submits that since the office of the respondent No.1/DDA is situated at Vikas Sadan, the Courts of New Delhi District, Patiala House, New Delhi has the territorial

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jurisdiction to try and entertain the said suit. Learned counsel for the petitioner prays that in the given circumstances, Civil Suit No.6726/2016 titled as '*Habitat India Vs. DDA*' presently pending in the Court of Ms.Navita Kumar Bagha, ADJ-01, South District, Saket may be transferred to the competent Court in New Delhi District, Patiala House Courts, Delhi.

3. Learned counsel for the respondents submit that they have no objection if the prayer of the petitioner is allowed.

4. In view of the submissions made by learned counsel for the petitioner and no-objection given by learned counsel for the respondents, the Civil Suit No.6726/2016 titled as '*Habitat India Vs. DDA*' is withdrawn from the Court of Ms.Navita Kumar Bagha, ADJ-01, South District, Saket, Delhi and assigned/transferred to the Court of District Judge, New Delhi District, Patiala House, Delhi with the direction to try the same himself/herself or may assign the case to the Court having competent jurisdiction to try and entertain the suit.

5. The petition is allowed.

6. Parties are directed to appear before learned District Judge, New Delhi District, Patiala House Courts, Delhi on 20th July, 2017.

7. Case file of Civil Suit No.6726/2016 titled as '*Habitat India Vs. DDA*' be sent to the Court of learned District Judge, New Delhi District, Patiala House Courts, Delhi before 20th July, 2017.

8. A copy of this order be sent to the courts concerned and be also given dasti to learned counsel for the parties.

PRATIBHA RANI, J.

MAY 04, 2017/'pg'