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

\+ CS(OS) 2363/2008

KIRTI PARDEEP SOOD & ORS ..... Plaintiffs

Through: Mr. Tanmaya Mehta, Adv.

Versus

KESHAV SUD ..... Defendant

Through: Defendant in person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

O R D E R

% 28.02.2017

1. The suit has been listed on setting aside by the Division Bench, vide judgment dated 6th February, 2017 in RFA (OS) No.26/2014, of the order dated 19th November, 2013 in the suit rejecting the plaint.

2. The counsel for the plaintiffs states that the suit as per its valuation is to be transferred to the subordinate Courts in accordance with the Office Order dated 24th November, 2015 of Hon'ble the Chief Justice in exercise of powers under Section 4 of the Delhi High Court (Amendment) Act, 2015.

3. The counsel for the plaintiffs states that the defendant Keshav Sud is present in person.

4. A perusal of the plaint shows that the suit is for recovery of possession of a part of immovable property and for *mesne profits* and is valued for the purpose of court fees at Rs.32 lacs.

5. The property subject matter of the suit falls within the New Delhi District, Patiala House Courts, New Delhi.

6. The counsel for the plaintiffs further points out that a suit with respect to another portion of the same property between the same parties with one another defendant is pending in the Court of Sh. S.S. Rathi, Additional District Judge, Patiala House Courts, New Delhi.

7. The defendant appearing in person confirms the same.

8. Accordingly, the suit is transferred to the Court of the District Judge, Patiala House Courts, New Delhi.

9. The parties to appear before the Additional District Judge / District Judge, Patiala House Courts, New Delhi on 28th March, 2017.

RAJIV SAHAI ENDLAW, J

FEBRUARY 28, 2017
'gsr'..