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

+ **TR.P.(C.) 85/2016**

RAMESH CHAND SAINI & ANR Petitioners

Through: **Mr. Anand Prakash, Adv.**

Versus

VIKRANT SINGH (DECEASED) THROUGH LRS Respondent

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **24.10.2017**

CM No.27344/2016 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

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3. This petition under Section 24 of the Code of Civil Procedure, 1908 seeks transfer of (a) RCA No.36/2012 titled ***Ramesh Chand and Anr. Vs. Vikrant Singh*** pending in the Court of Ms. Savita Rao, Additional District Judge (ADJ) (West), Tis Hazari Courts, Delhi; (b) RCA No.42/2012 titled ***Ramesh Chand Saini Vs. Babu Ram*** pending in the Court of Shri Vinay Singhal, ADJ (Central), Tis Hazari Courts, Delhi; (c) RCA No.28/2016 titled ***Ramesh Chand Saini Vs. Vikrant Singh*** pending in the Court of Ms. Vandana Chauhan, ADJ (Central), Tis Hazari Courts, Delhi; and, (d) RCA No.29/2016 titled ***Rajesh Kumar Vs. Vikrant Singh*** pending in the Court of Ms. Vandana Chauhan, ADJ (Central), Tis Hazari Courts, Delhi, to one Court.

4. Notice of the petition was ordered to be issued and a reply of the respondents No.1,3&4 is on record. However none appears for the respondents today.

5. The respondents No.1,3&4 have opposed the transfer and have pleaded that the suits from which the appeals arise were also throughout pending in different Courts and the appeals have been pending for varying length of time and this transfer petition filed now is *mala fide*.

6. The counsel for the petitioners save for stating that the dispute subject matter of all the appeals relates to the same property, is unable to tell the commonality which requires the transfer powers to be invoked.

7. Though the counsel states that two of the appeals arose from the same judgment and another two appeals also arose from one judgment but neither is the copy of the judgments filed nor is the counsel for the petitioners possessed of the same.

8. A perusal of the transfer petition also does not disclose any reason for transfer.

9. Transfer cannot be allowed on mere asking.

10. Without the petitioners disclosing any ground for transfer, the petition cannot be entertained.

11. Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J.

OCTOBER 24, 2017

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