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

+ TR.P.(C.) 82/2016

M/S SHRADDHA BUILD PRO
PVT LIMITED & ORS

..... Petitioners

Through: Mr.Narendra Gautam, Advocate.

versus

MAHAVIR SINGH CHAUHAN

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

03.05.2017

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1. This transfer petition has been made under Section 24 of the Code of Civil Procedure, 1908 seeking transfer of the Civil Suit No.29/2016 titled as *M/s Shradhha Buildpro Pvt. Ltd. v. Mahavir Singh Chauhan* pending in the Court of Dr.Sahabuddin, ADJ, Rohini Courts, Delhi with the following prayer:

“Transfer the Civil Suit bearing No.29/2016 titled as M/s Shradhha Buildpro Pvt. Ltd. versus Mahavir Singh Chauhan pending in the Court of Ld. Dr.Sahabuddin, ADJ, Rohini Courts, District North West to District South West, Delhi, Transfer to Dwarka, District Courts.”

2. Learned counsel for the petitioner submits that the suit property is situated in District South West, Dwarka, Delhi. However, on enhancement of pecuniary jurisdiction of the District Courts, while transferring this suit to the District Court, the Joint Registrar of this Court

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vide order dated 5th January 2016 (Annexure P2), instead of transferring the Civil Suit No.29/2016 to the South-West District, has transferred the suit to the North-West District at Rohini.

3. In view of the submissions made by learned counsel for the petitioner that the Civil Suit No.29/2016 titled as *M/s Shradhha Buildpro Pvt. Ltd. v. Mahavir Singh Chauhan*, which has wrongly been sent to the North West District, Rohini Courts, Delhi, is withdrawn from the Court of Dr.Sahabuddin, ADJ, Rohini Courts, Delhi and assigned/transferred to the District Judge, South West District, Dwarka Courts, Delhi with the direction to try the same himself or may assign the case to the Court having competent jurisdiction to try and entertain the suit.

4. The petition is allowed.

5. Parties are directed to appear before learned District Judge, South West District, Dwarka Courts, Delhi on 24th July, 2017.

6. Case file of Civil Suit No.29/2016 titled as *M/s Shradhha Buildpro Pvt. Ltd. v. Mahavir Singh Chauhan* be sent to the Court of learned District Judge, South West District, Dwarka Courts, Delhi before 24th July, 2017.

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

PRATIBHA RANI, J.

MAY 03, 2017
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