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

+ **TR.P.(C.) 94/2016**

SAROJ KHURANIYA & ANR Petitioners

Through: Mr. Sarvesh Bisaria, Adv.

Versus

M/S SINGH BUSINESS CENTRE LTD & ANR Respondents

Through: Mr. D.K. Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **21.09.2017**

1. Transfer is sought of i) Civil Suit No.41/2015 filed by the petitioner no.1 Smt. Saroj Khuraniya against respondent no.1 Singh Business Centre Ltd. and pending in the Court of Sh. Anil Kumar, Additional District Judge (South), Saket Courts, New Delhi; ii) Civil Suit No.332/16/15 filed by respondent no.1 Singh Business Centre Ltd. against petitioner no.2 Sh. Vaibhav Khuraniya, son of petitioner no.1 Smt. Saroj Khuraniya, pending in the Court of Ms. Neelofer Abida Praveen, Additional District Judge, South-East, Saket Courts, New Delhi; and, iii) Suit No.900/2015 filed by the petitioner no.1 Smt. Saroj Khuraniya against the respondent no.2 Sh. Pankaj Singh, Director of respondent no.1 Singh Business Centre Ltd. and pending in the Court of Ms. Asha Menon, District Judge, South, Saket Courts, New Delhi, to one Court.
2. The counsel for both the respondents states that though he has no objection to the suits being tried by one Court only but is not agreeable to consolidation of the three suits for trial as is the purport of the petitioners.

3. This Court, in exercise of powers under Section 24 of the CPC, is not exercising the powers of consolidation of the suits for trial, which is ordinarily in the domain of the Suit Court.
4. Accordingly, the petition is allowed.
5. Civil Suit No.332/16/15 titled “Singh Business Centre Ltd. Vs. Vaibhav Khuraniya” pending in the Court of Ms. Neelofer Abida Praveen, Additional District Judge, South-East, Saket Courts, New Delhi and Suit No.900/2015 titled “Saroj Khuraniya Vs. Pankaj Singh” pending in the Court of Ms. Asha Menon, District Judge, South, Saket Courts, New Delhi are ordered to be transferred to the Court of Sh. Anil Kumar, Additional District Judge (South), Saket Courts, New Delhi where Civil Suit No.41/2015 titled “Saroj Khuraniya Vs. Singh Business Centre Ltd.” is pending.
6. The Transferor Courts are requested to physically transfer the files forthwith.
7. The parties to appear before the transferee court i.e. Court of Sh. Anil Kumar, Additional District Judge (South), Saket Courts, New Delhi on 1st December, 2017 when the suit already pending before it is stated to be listed.
8. The petition is disposed of.
No costs.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 21, 2017

‘gsr’..