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

+ TR.P.(C.) 83/2017

PRAMOD KUMAR SHARMA

(SINCE DECEASED) THR LR

..... Petitioner

Through: Ms. Suneha Jain, Advocate

versus

PRADEEP KUMAR SHARMA

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **07.11.2017**

1. Transfer, invoking Section 24 of the Code of Civil Procedure, 1908 (CPC), is sought of CS No.84660/2016 titled Pramod Kumar Sharma vs. Pradeep Kumar Sharma of the Court of Sh. Vishal Pahuja, Civil Judge, Saket Courts, New Delhi to this Court to be tried along with CS(OS) No.221/2008 titled Urmila Devi Sharma & Ors. vs. Pramod Kumar Sharma of this Court.
2. Notice of the petition was ordered to be issued and though the respondent is reported to be served and the earlier order dated 18th July, 2017 also records the presence of the respondent, none appears for the respondent today.
3. The counsel for the petitioner states that the Suit before this Court is for partition of immovable property and the Suit pending before the Court of Civil Judge, Saket Courts is for cancellation of gift deed with respect to part of the property.

4. I am unable to comprehend as to how common issues of fact and law would arise, even if the parties to both the Suits are the same and as to what is the need for transfer.

5. Dismissed.

RAJIV SAHAI ENDLAW, J

NOVEMBER 07, 2017
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