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

+ **TR.P.(C.) 85/2017**

M/S SHARA

..... Petitioner

Through: Mr. Amit Kumar, Adv.

Versus

JEAN CLAUDE & ORS

..... Respondents

Through: Mr. Anumita Chandra, Adv. for R-2
to 7.

Mr. Saket Agarwal, Adv. for R-8&9.

Mr. Ashwin Nayar, Adv. for R-12.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.11.2017

1. Transfer, invoking Section 24 of the Code of Civil Procedure, 1908 (CPC), is sought of CS DJ ADJ/0516258/2016 titled "M/s Shara Vs. Jean Claude & Ors." of the Court of Additional District Judge-03 (ADJ), South-West District, Dwarka Courts, Delhi to New Delhi District, Patiala House Courts, New Delhi.
2. Notice of the petition was ordered to be issued and the counsels for the respondents No.2 to 7, 8&9 and 12 appear.
3. The ground for transfer is that the police station within whose jurisdiction the addresses of three of the respondents are situated was earlier within the jurisdiction of South-West District and is now within the jurisdiction of New Delhi District.
4. However, on enquiry, it is informed that suit is for recovery of money and the counsel for the petitioner, before filing this petition, has not even

checked provision of the CPC by which the territorial jurisdiction will be governed. Even otherwise, there is nothing to show that the pending suits were intended to be transferred.

5. The counsel for the respondents no.2 to 7 states that the address where the office of the respondent / defendant no.2 is now situated, is within the jurisdiction of the South-West District.

6. It is found that transfers are being sought by the advocates for their own convenience, from far off districts to New Delhi District which is closest to the High Court of Delhi. If the same were to be permitted, it will burden the New Delhi District beyond its capacity and leave the Judges manning the Courts in far off districts without any work, thereby defeating the purpose of division of Delhi into districts.

7. There is no merit in the petition.

Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J

NOVEMBER 06, 2017

‘gsr’..