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

+ **TR.P.(C.) 103/2017**

PRATAP SINGH

..... Petitioner

Through: Mr. B.S. Chauhan, Adv.

Versus

SALEEM KHAN & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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11.07.2017

1. The petition seeks transfer of Suit No.199/2016 of the Court of Sh. Ashwani Kumar Sarpal, Additional District Judge (ADJ) (North-East), Delhi to the Court of Sh. Ravinder Singh, ADJ, district Shahdara, Delhi.
2. Both the districts i.e. North-East and Shahdara are situated at Karkardooma Courts Complex, Delhi; thus, convenience to have the two suits at one place is not the consideration.
2. The only reason stated for transfer is that the suit pending in the Court of Sh. Ravinder Singh, ADJ, Shahdara is also by the respondents / plaintiffs though against the brother of the petitioner / defendant.
3. The counsel for the petitioner / defendant agrees that the two suits cannot be consolidated for the purpose of trial.
4. Once that is so, the need to transfer is not felt. The certified copies of one proceeding can be filed in another.
5. Dismissed.

6. The counsel for the petitioner at this stage states that in fact the subject suit was wrongly transferred by this Court to district North-East while it should have been sent to district Shahdara.

7. It shall be open to the petitioner / defendant to raise the objection as to territorial jurisdiction before the concerned Court and if the concerned Court is satisfied in that regard, to pass the appropriate order.

Dasti under signature of Court Master.

RAJIV SAHAI ENDLAW, J

JULY 11, 2017

‘gsr’..

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