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

+ **TR.P.(C.) 164/2016**

SOM NATH SAREEN Petitioner

Through: Ms. Babita Seth, Adv.

Versus

SUBHASH CHAND SAREEN Respondent

Through: Mr. Pramod Ahuja & Ms. Amita Sachdeva, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **19.07.2017**

1. This petition under Section 24 of the CPC seeks transfer of Suit No.616/2012 titled Som Nath Sareen Vs. Subhash Chand Sareen from the Court of Sh. Sumit Das, Senior Civil Judge (SCJ), North, Rohini Courts, Delhi to this Court for being taken up along with CS(OS) No.959/2010 of this Court.
2. The petition was entertained and notice thereof issued.
3. The counsel for the respondent appears.
4. It is on record that the suit which is sought to be transferred to this Court has vide order dated 6th May, 2014 of the Senior Civil Judge been adjourned *sine die*.
5. I have enquired from the counsel for the petitioner that once the suit has been so ordered to be adjourned *sine die*, what purpose will be served by transferring the same to this Court.

6. The counsel for the petitioner states that the petitioner had preferred CM (M) No.859/2014 against the order dated 6th May, 2014 adjourning the suit *sine die* but the same was not pressed with liberty to move this petition.
7. This Court in exercise of powers under Section 24 of the CPC cannot sit in appeal or revise the order dated 6th May, 2014 adjourning the suit *sine die*.
8. The remedy of the petitioner is to either apply to the Court of SCJ or to this Court in CS(OS) No.959/2010 for the reliefs sought.
9. The counsel for the respondent states that the order dated 6th May, 2014 has already attained finality.
10. If the petitioner takes any steps for revival of the suit as aforesaid, it will be open to the respondent to take all objections in that regard.
11. The petition is disposed of in above terms.

RAJIV SAHAI ENDLAW, J

JULY 19, 2017

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