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

+ TR.P.(C.) 1/2017

THE CREATION

..... Petitioner

Through: Mr. O.P. Saxena, Adv.

Versus

A.K. GUPTA & CO.

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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02.11.2017

1. This petition under Section 24 of the Code of Civil Procedure, 1908 seeks transfer of CS No.618824/2016 titled ***The Creation Vs. A.K. Gupta & Co.*** from the Court of Additional District Judge (ADJ)-07 (Central), Tis Hazari Courts, Delhi to District-North-West, Rohini Courts, Delhi.

2. Notice of the petition was ordered to be issued and though the respondent was reported to be served for 19th July, 2017 but neither has anyone appeared for the respondent nor has any reply been filed.

3. The counsel for the petitioner/plaintiff in the suit of which transfer is sought, states that the suit originally filed in this Court was transferred to the District-Central but the respondent/defendant took an objection that it should be in Rohini Courts. It is stated that for this reason, transfer is being sought.

4. Though it is no reason for seeking transfer but it is not deemed appropriate to delay the suit any further as it appears that adjournments are being taken in the suit for the reason of pendency of this petition.

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5. The petition is allowed; the suit aforesaid is ordered to be transferred to District-North-West, Rohini Courts, Delhi.
6. The Transferor Court is requested to physically transfer the suit file forthwith.
7. The parties to appear before the ADJ/District Judge (North-West), Rohini Courts, Delhi on 4th December, 2017.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 02, 2017

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