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

+ **TR.P.(C.) 148/2017**

ABDUL HAMID

..... Petitioner

Through: Mr. Sumit Kr. Khatri, Adv.

Versus

SHAHID SIDDIQUI

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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08.09.2017

CM No.32719/2017 (for exemption)

1. Allowed, subject to just exceptions.

2. The application is disposed of.

TR.P.(C.) 148/2017 & CM No.32720/2017 (for stay)

3. Transfer is sought of Arbitration No.407/2017 under Section 34 of the Arbitration and Conciliation Act, 1996 of the Court of Shri Gurvinder Pal Singh, Additional District Judge-01 (South-East), Saket Courts, New Delhi to Tis Hazari Courts, Delhi on the ground of the petitioner being aged and living in the vicinity of Tis Hazari Courts. It is argued that the petition aforesaid was earlier pending in this Court as O.M.P. No.663/2010 and has vide order dated 22nd February, 2017 been wrongly transferred to Saket Courts.

4. In a petition under Section 34 of the Arbitration and Conciliation Act, only arguments have to be addressed and it appears that the petition for transfer is guided by a desire to keep the petition under Section 34 of the Act pending and to not have it disposed of. In fact, considering the limited nature

of challenge under Section 34 of the Act, it is only the advocate of the petitioner who needs to argue and there is no need even for the petitioner to personally visit. Moreover, arguments are to be heard on the date fixed and it is not as if the proceedings are to languish for months or years.

5. Else, there is nothing wrong in transfer to Saket Courts.

6. No case for transfer is made out.

Dismissed.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 08, 2017

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