

\$~56 & 57

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

+ **TR.P.(C.) 142/2017**

RESHU

..... Petitioner

Through: Mr. N.K. Kantawala and Mr.
Ravinder Nanwal, Advs.

Versus

SUSHMA & ORS.

..... Respondents

Through: Mr. I.S. Dahiya, Adv. for R-1 to 3.

AND

TR.P.(C.) 143/2017

UNION OF INDIA

..... Petitioner

Through: None.

Versus

MAHENDER SINGH & ORS.

..... Respondents

Through: Mr. N.K. Kantawala and Mr.
Ravinder Nanwal, Advs. for R-1&2.
Mr. I.S. Dahiya, Adv. for R-6 to 8.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

22.08.2017

%

1. These Transfer Petitions have been registered on receipt of letter dated 11th August, 2017 of the District Judge (North District), Rohini Courts, Delhi forwarding therewith case files of LAC M-DJ No.295/2017 titled as *Union of India Vs. Mahender Singh* and CS No.662/2017 titled as *Reshu Vs. Sushma and Ors.* and together with the confidential letter dated 8th August, 2017 of Sh. Atul Kumar Garg, Additional District Judge (ADJ)-01, North District, Rohini Courts, Delhi before whom the said two proceedings were pending.

2. Sh. Atul Kumar Garg, ADJ-01, North District, Rohini Courts, Delhi sent the two files aforesaid to the District Judge (North), Rohini Courts, Delhi, to transfer the same to some other Court.
3. The District Judge (North), Rohini Courts, Delhi, on receipt of the said files has in his judicial order dated 11th August, 2017 observed that “since there is only one District Court of LAC in North District, file is being sent to the Hon’ble High Court of Delhi for proper orders in the light of the request of learned ADJ-01, North District, Rohini Courts, Delhi and his confidential letter” and directed the parties to appear before the learned Registrar General of this Court on 18th August, 2017 at 10.00 A.M.
4. The counsels for the parties appear and state that the files can be forwarded to the District Judge (Central) or District Judge (West), both at Tis Hazari Courts, Delhi, to be assigned to the concerned LAC Court in the said District.
5. I have opened the sealed envelope containing the confidential letter of the ADJ-01 (North), Rohini Courts, Delhi and do not find the contents thereof to be coming in the way of transfer of the aforesaid proceedings as requested by the counsels.
6. The said letter has been kept back in the envelope and the Registry of this Court is directed to, before forwarding the files in terms of this order, to take out the envelope containing the letter dated 8th August, 2017 of Sh. Atul Kumar Garg, ADJ-01 (North), Rohini Courts, Delhi therefrom and to keep the same separately in the Chief Justice’s Secretariat along with a copy of this order.

7. Though I am of the opinion that on receipt of files from the District Judge, North District, Rohini Courts, Delhi, the files should have been forwarded to another District by an administrative order but Hon'ble the Chief Justice having directed the files to be listed before this Court on the Judicial Side, I proceed to deal with the same.
8. There being no other LAC Court in North District, Rohini Courts, Delhi, it is deemed appropriate to accept the request of the counsels.
9. The files are accordingly transferred to the District Judge (Central), Tis Hazari Courts, Delhi, with a request to assign the same to the LAC Court in the said District or other appropriate Court.
10. The parties to appear before the Additional District Judge / District Judge (Central), Tis Hazari Courts, Delhi on 20th September, 2017.
11. The petitions are disposed of.

RAJIV SAHAI ENDLAW, J.

AUGUST 22, 2017

Bs..