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

+ **TR.P.(C.) 154/2017**

**HARI CHAND SAINI**

..... Petitioner

Through: **Mr. Keshav V. Hegde, Adv.**

Versus

**VED PRAKASH & ANR**

..... Respondents

Through: **None.**

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

% **15.09.2017**

**CM No.33634/2017 (for exemption)**

1. Allowed, subject to just exceptions.
2. The application is disposed of.

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3. Transfer is sought of a previously instituted suit for partition to this Court because of filing in this Court of another suit for partition of the same property.
4. I have asked the counsel for the petitioner who has also filed the suit for partition of which transfer is sought as to why petitioner has not sought stay of proceedings in the second suit for partition or for dismissal of the second suit for partition.
5. The counsel for the petitioner states that he did so but the Court of Justice Manmohan was of the opinion that the petitioner should apply for transfer.

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6. No such order is produced.
7. Adjournment is sought to show the order, though stated to be of July, 2017.
8. Subject to the petitioner depositing costs of Rs.5,000/- with the Delhi High Court Bar Association Lawyers' Social Security and Welfare Fund, New Delhi, list the matter on 21<sup>st</sup> September, 2017.
9. At this stage, the counsel for the petitioner states that he withdraws this petition.
10. Dismissed as withdrawn.

**RAJIV SAHAI ENDLAW, J.**

**SEPTEMBER 15, 2017**

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