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

+ **TR.P.(C.) 160/2017**

BAKSHISH SINGH

..... Petitioner

Through: Mr. Kuldip Singh and Mr. Gagan Kumar
Singhal, Advs.

Versus

NAVEEN KUMAR

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **25.09.2017**

CM No.35213/2017 (for exemption)

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

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3. Transfer is sought of a suit being Civil Suit No.517/2017 filed by the respondent and pending in the Courts of Sh. Sunil Beniwal, Senior Civil Judge at Dwarka, Delhi to the New Delhi District, Patiala House Courts on the ground of the Courts at Dwarka not having territorial jurisdiction to entertain the suit.
4. As per my understanding, Section 24 of the Code of Civil Procedure, 1908 (CPC) is not an alternative to Order VII Rule 10 of CPC (see *Harshad Chimanlal Modi (II) Vs. DLF Universal Ltd.* (2006) 1 SCC 364 and *Narender Singh Vs. Indian Institute of Architects* (2013) 205 DLT 240 (DB)).
5. At this stage, the counsel for the petitioner withdraws the petition with liberty to take alternate remedy.
6. Dismissed as withdrawn with liberty aforesaid.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 25, 2017/‘bs’