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

+ **TR.P.(C.) 163/2017**

KRISHAN KUMAR BAJAJ Petitioner

Through: Mr. Varun Gupta, Advocate

Versus

MIRZA RASHID BEG & ANR Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **16.10.2017**

1 Transfer is sought of CS DJ/616344/2016 of the Court of Shri Harish Kumar, Additional District Judge, Tis Hazari Courts, Delhi earlier pending as CS(OS) No. 2368/2010 of this Court and which was transferred to the District Court on enhancement in the minimum pecuniary jurisdiction of this Court back to this Court averring that the petitioner had filed OA No. 253/2015 along with IA Nos. 13238, 13239 & 13242/2015 in the suit but which OA along with applications aforesaid was dismissed for non-prosecution on 15th October, 2015 and that the petitioner has filed an application for restoration of the same and which can be heard only by this Court.

2. The petitioner has however neither filed any copy of the application for restoration of the OA nor has given the number of the said application as has been given of the other applications filed with the OA. Thus, the factum of the petitioner having applied for

restoration cannot be believed at this stage. Even otherwise, such application if filed will be on the suit record. The learned Additional District Judge before whom the suit is now pending is entitled to pass the requisite orders thereof.

3. With the aforesaid, this petition is disposed of.

OCTOBER 16, 2017
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RAJIV SAHAI ENDLAW, J