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

+ **TR.P.(C.) 2/2016**

A R SINGH

..... Petitioner

Through: **Mr. Prashant Singh, Advocate**

versus

MADHURI GUPTA & ORS

..... Respondents

Through: **None**

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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23.10.2017

1. Transfer is sought of several civil proceedings between the parties, stated to be pending before different Courts, to one Court.
2. However, no particulars of the nature and character of the various proceedings have been given and no copies thereof have been filed with this petition.
3. Though, notice of the petition was ordered to be issued and the respondents are reported to be served and counsel appeared for respondents on 5th July, 2017, but today none appears for the respondents.
4. Mr. Prashant Singh, Advocate for the petitioner also is unable to explain the nature and character of the proceedings. He however states that the dispute is a landlord-tenant dispute and the petitioner has filed the petitions under the Delhi Rent Control Act, 1958 against the respondents on various grounds.

5. If that be so, petitions for eviction on different grounds are in any case to be tried separately.
6. Mr. Prashant Singh, Advocate then states that there is a suit for possession also.
7. It is not understandable as to how the petition for eviction under the Rent Control Act and the suit for possession can co-exist. Even otherwise, the petition for eviction is to be tried by the Rent Controller and the suit has to be tried by a Civil Court.
8. In this view of the matter, it is deemed appropriate to dismiss this petition. However, if need for transfer is felt in future, the petitioner may apply again, after giving requisite particulars.
9. The counsel for the petitioner at this stage withdraws the petition with liberty to file afresh.
10. Dismissed as withdrawn with liberty aforesaid.

RAJIV SAHAI ENDLAW, J

OCTOBER 23, 2017/P..