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

+ **TR.P.(C.) 183/2017**

DELHI DEVELOPMENT AUTHORITY Petitioner

Through: Vaibhav Agnihotri, Adv.

Versus

AADHAR STUMBH Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **17.11.2017**

CM No.41454/2017 (exemption)

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

TR.P.(C.) 183/2017 & CM No.41453/2017 (for stay)

3. None appears.
4. Transfer, invoking Section 24 of the Code of Civil Procedure, 1908 (CPC), is sought of CS DJ No.516464/2016 titled "Delhi Development Authority & Anr. Vs. M/s Aadhar Stumbh" of the Court of Sh.Kanwaljeet Arora, ADJ-01, South-West District, Dwarka Courts, New Delhi to the Court of Sh. Sonu Agnihotri, ADJ-02, South-East District, Saket Courts, New Delhi for the reason of pendency of CS DJ No.21/2017 before that Court.
5. It is stated that earlier both suits were pending before this Court and on enhancement of minimum pecuniary jurisdiction of this Court were transferred to different districts.

6. Need to issue notice is not felt as the suits appear to be cross suits and from the number of the suits when they were pending in this Court, it appears that the suit now pending in the Saket Courts is of earlier vintage.
7. The transfer as sought is allowed.
8. The transferor court to forthwith physically transfer the file.
9. The transferred suit to be listed before the Court of Sh.Sonu Agnihotri, ADJ-02, South-East District, Saket Courts, New Delhi or before any other Additional District Judge in the said District to whom the suit may be assigned, on 12th December, 2017.
10. The petition is disposed of.
11. This order has been made without hearing the respondent. The respondent will have option, if so desires, to apply for variation.
12. Mr. Vaibhav Agnihotri, Advocate for petitioner / DDA appears.

RAJIV SAHAI ENDLAW, J

NOVEMBER 17, 2017
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