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

+ **TR.P.(C.) 179/2017**

SWARAN SINGH

..... Petitioner

Through: None.

Versus

RAJ RANI (DECEASED) THROUGH LRS

..... Respondent

Through: None.

AND

TR.P.(C.) 181/2017

RAJ RANI (DECEASED) THROUGH LRS

..... Petitioner

Through: None.

Versus

SWARAN SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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15.11.2017

1. TR.P.(C.) 181/2017 has been registered on reference vide order dated 27th September, 2017 in CIS-RCT ARCT-19-2016 titled "Raj Rani & Ors. Vs. Swaran Singh" of the Court of Ms. Asha Menon, District & Sessions Judge (South), Saket Courts, New Delhi.
2. The order dated 27th September, 2017 in CIS-RCT ARCT-19-2016 is as under:

"Ld. Proxy counsel for the respondent submits that this Court had occasion to deal with an application U/s 45 of DRC Act in the year 2000 between the parties. As there is no Court exercising powers of ARCT in this District, the matter be placed before the Ld. Registrar (General), Hon'ble High Court, New Delhi for further directions. The parties are directed to appear before the Ld. Registrar (General), Hon'ble High Court, New Delhi on 11.10.17 at 10.30 AM. Ahlmad to send the file well in time."

3. TR.P.(C.) 179/2017 has also been registered on reference vide order dated 27th September, 2017 in CIS-RCT ARCT-51-2016 titled “Swaran Singh Vs. Raj Rani (deceased through LRs) & Ors.” also of the Court of Ms. Asha Menon, District & Sessions Judge (South), Saket Courts, New Delhi.

4. The order dated 27th September, 2017 in CIS-RCT ARCT-51-2016 is as under:

“The connected appeal bearing No. CIS-RCT ARCT-19-2016 has been placed before the Ld. Registrar (General), Hon’ble High Court, New Delhi.

Accordingly, the present matter be also placed before the Ld. Registrar (General), Hon’ble High Court, New Delhi for further directions for the same reason. The parties are directed to appear before the Ld. Registrar (General), Hon’ble High Court, New Delhi on 11.10.17 at 10.30 AM. Ahlmad to send the file well in time.”

5. None appears.

6. The aforesaid orders speak for themselves.

7. No merit is found in the contention, that because Ms. Asha Menon acting as Additional Rent Controller in the year 2000 had dealt with an application under Section 45 of the Delhi Rent Control Act, 1958 between the same parties, she should not, acting now as Additional Rent Controller hear the appeals as aforesaid arising not from proceedings under Section 45 but from a petition under Section 14(1)(a) but between the same parties.

8. Ms. Asha Menon, Rent Control Tribunal (South), Saket Courts, New Delhi is thus requested to, notwithstanding the aforesaid contention recorded in the order dated 27th September, 2017 in CIS-RCT ARCT-19-2016, deal with the matters.

9. These transfer petitions are disposed of.
10. The files received from the District Court be forthwith sent back to the District & Sessions Judge / Rent Control Tribunal (South), Saket Courts, New Delhi along with copy of this order and the matters be listed before that Court on 11th December 2017.

RAJIV SAHAI ENDLAW, J.

NOVEMBER 15, 2017
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