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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ TR.P.(C.) 42/2018
SUCHITRA SOLANKI Petitioner
Through None.

versus

SANTOSH SOLANKI Respondent
Through Mr. Hitesh Saini, Adv.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER

% **02.08.2018**

Vide the present petition under Section 24 of the CPC, the petitioner seeks the assignment of the suit bearing CS No. 577520/2016 pending adjudication before the Court of the learned Additional District Judge, N/W District, Rohini Courts, Delhi fixed for filing of replication, admission denial and issues and the proceedings of the suit bearing CS No. 2092/2016 pending before the Court of the learned Additional District Judge, North District, Rohini Courts, Delhi, both in relation to the suit property i.e. HIG Flat, C-1/3, Ground Floor, Ganga Triveni Apartment, Sector-9, Rohini, Delhi – 110085 with both the suits being between the same parties and it being submitted that in which evidence is yet to commence in both the cases, seeking that the matter be assigned to one District of the Rohini Courts, Delhi.

Learned counsel for the respondent does not oppose the prayer but submits that the property in question referred to hereinabove falls within the jurisdiction of that North District.

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On a consideration of the submissions made on behalf of the respondent and averments made in the petition, the proceedings of the suit bearing CS No. 577520/2016 stated to have been pending adjudication before the Court of Sh. Manish Gupta, Additional District Judge, N/W District, Rohini Courts, Delhi is transferred to the Court of Mr. Deepak Wason, Additional District Judge, North District, Rohini Courts, Delhi where the proceedings in relation to the suit bearing CS No. 2092/2016 in relation to the very same property, in relation to a suit for possession of the said premises are pending in as much as the suit bearing CS No. 577520/2016 relates to a suit seeking declaration, cancellation under Section 31 of the Specific Relief Act of a relinquishment deed in relation to the very same property in which also the evidence is yet to commence as per the prayer made in the petition as also as per the submissions made on behalf of the respondent.

The proceedings of the suit bearing CS No. 577520/2016 which is stated to be fixed for 04.09.2018 are thus directed to be placed alongwith the records of suit bearing CS No. 2092/2016 before the Court of the learned Additional District Judge, North District, Rohini Courts, Delhi where the said suit is pending for the date 06th December, 2018 with directions to the Trial Court concerned of the learned Additional District Judge, North District, Rohini Courts, Delhi to proceed further in accordance with law in both the suits.

The transfer petition is disposed of accordingly.

Copy of this order be sent to the learned Trial Courts.

ANU MALHOTRA, J

AUGUST 02, 2018/MK