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

+ **TR.P.(C.) 68/2018**

RAMI

..... Petitioner

Through: **Mr. R.K. Sahni, Advocate with
Mr. Deepak Sharma, Adv.**

versus

RAM SARAN & ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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24.04.2018

The prayer in the transfer petition is for withdrawal of the civil suit (Suit No.1151/2016) presently pending in the Court of Ms. Shuchi Laler, additional district Judge, East District, Karkardooma Courts Complex, Delhi to the Court of District Judge for Shahdara District, Karkardooma Courts Complex, Delhi.

The trigger for the present petition has come from the order dated 22.11.2017 of the trial Judge whereby she has observed that since the subject property is situated in Shahdara District and not in East District, her Court lacks territorial jurisdiction.

On being asked, the counsel for the petitioner submitted that when the suit was instituted on 07.08.2006, Shahdara District did not even exist and further that the suit was instituted in the correct territorial jurisdictional Court as per the dispensation then in place. If these are the facts, there is no reason for which it can be held that the Court where the suit is presently

pending lacks territorial jurisdiction. The subsequent further division or readjustment of the boundaries of the judicial districts will not take away the territorial jurisdiction which was correctly invoked.

At this stage, the counsel for the petitioner submits that he does not press the transfer petition and instead withdraws the same. It is accordingly dismissed as withdrawn.

R.K.GAUBA, J.

APRIL 24, 2018

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