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

+ **TR.P.(C.) 137/2018 & CM APPL. 30144/2018**

NEERU DUA

..... Petitioner

Through

Mr. Suresh Sharma, Mr. Dharmendra
Prasad, Mr. K.D. Singh, Advs.

versus

GENERAL PUBLIC / STATE & ORS

..... Respondent

Through

None.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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10.08.2018

CM APPL. 30144/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

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Vide the present petition, the petitioner seeks the transfer of Guardianship Petition No. 13/17 titled as Smt. Neeru Dua Vs. General Public and Ors. from the Court of the District and Sessions Judge, West and seeks that the same be transferred and entrusted to some other Court submitting to the effect that the said petition has been filed under Section 8 of the Hindu Minority & Guardianship Act, 1956 seeking for permission to sell 1/4th share of her minor son and daughter in the property bearing No. 4/13, Tihar-II, Ashok Nagar, New Delhi and she is constrained to seek such

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permission for maintenance of her two minor children so that she could utilize the same for their betterment, good living, best schooling and for their higher education and that the proceedings in the matter have not commenced since the date of institution of the petition, in as much as there is presently no incumbent to the post of the District and Sessions Judge, West.

Copies of the proceedings dated 16.11.2017 alongwith the petition were put up on the said date of hearing and then on 08.01.2018, 08.02.2018, 03.04.2018, 17.04.2018 and then on 17.04.2018 at 12.00 noon before the Officiating District and Sessions Judge, West qua the proceedings dated 04.06.2018 indicates that the proceedings are listed for 03.07.2018 and the proceedings dated 03.07.2018 indicate that the matter is now listed for 04.09.2018 repeatedly indicating that there is no incumbent to the post of District and Sessions Judge, West.

In the interest of justice, the proceedings of the Guardianship Petition No. 13/17 titled as Smt. Neeru Dua Vs. General Public and Ors. are withdrawn from the Court of the District and Sessions Judge, West and transferred to the District and Sessions Judge (HQ), Tis Hazari Courts, Delhi i.e. Central District and be placed before the District and Sessions Judge (HQ), Tis Hazari Courts, Delhi on the date 27.08.2018 at 2.30 p.m. to proceed further in accordance with law.

The petition is disposed of accordingly.

Copy of the order be given *Dasti*, as prayed.

AUGUST 10, 2018/MK
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ANU MALHOTRA, J

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