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

+ **TR.P.(C.) 150/2018**

PARAMJIT SINGH

..... Petitioner

Through Mr. Ramesh K. Sharma, Advocate

versus

RANDEEP DHURIA

..... Respondent

Through Respondent in person.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **23.08.2018**

Though the process report is awaited, learned counsel for the petitioner identifies the present person as the respondent who has also produced his driving license no. DL-0820110110655 in reply to specific Court query. In view thereof, the matter is taken up for consideration.

Vide the present petition, the petitioner seeks the transfer of the proceedings in Suit no. 1136/2013 and new No. 75722/2016 titled as Sh. Paramjeet Singh Vs. Sh. Randeep Dhuria pending in the Court of learned ADJ-03(N/W), Rohini Courts, Delhi for hearing and final disposal submitting *inter alia* to the effect that the suit filed by the petitioner is in relation to the suit for possession, recovery of arrears of rent amounting to Rs.1,50,000/-, damages (present and future) and permanent injunction against the respondent in respect of Shop No. 8A, Basement and Ground Floor, Shri Nagar Colony, Bharat Nagar, Delhi which fall within the

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jurisdiction of the Central District and that the respondent also through the written statement did not raise any objection in relation thereto and subsequently filed an application under Section 16 r.w.s. Order 7 Rule 10 and Rule 10A of CPC seeking either returning of the plaint or sending the same to the appropriate Court.

As per the averments made in the application filed by the respondent before the learned Trial Court under Section 16 r.w.s. Order 7 Rule 10 and 10A of CPC dated 16.11.2017, vide paragraph 5 thereof, the applicant / respondent sought the transfer of the proceedings to the North District of Delhi and also vide paragraph 5 of the application under Section 16 r.w.s. Order 7 Rule 10 and 10A of CPC filed by the respondent, the suit property fall was stated to within the jurisdiction of PS Sarai Rohilla falling with the jurisdiction of Central District.

In reply to a specific Court query, the petitioner of the present petition is seeking the transfer of the proceedings to the Central District, which transfer has even been sought by the respondent also before the Trial Court and now in reply to the specific Court query is not opposed by the respondent in person.

In view thereof, the proceedings in Suit no. 1136/2013 and new No. 75722/2016 titled as Sh. Paramjeet Singh Vs. Sh. Randeep Dhuria pending in the Court of learned ADJ-03(N/W), Rohini Courts, Delhi are withdrawn and assigned to the Central District, Delhi with parties being directed to appear before the learned District and Sessions Judge (HQ), Delhi for the date 25th August, 2018 at 2.30 p.m. with the request for the allocation of the same to the competent Court of any learned ADJ of the Central District,

Delhi on the said date itself for further adjudication in the matter.

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

ANU MALHOTRA, J

AUGUST 23, 2018/MK