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

+ TR.P.(C.) 209/2018

RAGHUBIR SINGH (DECEASED) THR LRS Petitioner
Through: Mr. S.M. Tripathi, Advocate.

versus

P C MOHAN Respondent
Through: None.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **26.11.2018**

1. The petitioner seeks transfer of Civil Suit No.2189/2016 titled as 'Raghubir Singh deceased through LR's. Vs. P.C. Mohan' pending in the Court of Sh. Sanjay Sharma, learned ADJ-02, East Delhi District, to the Court of District Judge, Shahdara. He contends that the learned District & Sessions Judge, East District, ('DJ') Delhi by order dated 06.10.2018 has observed that "*it transpired and admittedly the suit property is situated bearing No.C5/13, Krishna Nagar, Delhi which is undoubtedly in the revenue state of Vivek Vihar which lies in the territorial jurisdiction of learned District & Sessions Judge, Shahdara and this East District has no territorial jurisdiction to hear the said case for the said reason.*"
2. Since the property in question is situated within the revenue estate of Vivek Vihar and falls in the territorial jurisdiction of District Shahdara, the Civil Suit bearing No.2189/2016 pending in the Court

of Sh. Sanjay Sharma, Ld. ADJ-02, East Delhi, is transferred to the Court of learned District & Sessions Judge Shahdara. The file of the case shall be immediately sent to the learned District & Sessions Judge, Shahdara, who is requested either to retain the civil suit or assign it to any competent Court, to try and decide in accordance with law.

3. The petition is disposed of accordingly.

NOVEMBER 26, 2018

"sandeep"

VINOD GOEL, J.