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

+ **TR.P.(C.) 223/2017**

LOYAL SCAFFOLDING PVT LTD

..... Petitioner

Through: Mr. Ramanpreet Singh, Advocate

versus

BHILANGANA HYDRO POWER LTD

..... Respondent

Through: Mr. Mukesh Anand, Advocate

+ **TR.P.(C.) 23/2018**

M/S BHILANGANA HYDRO POWER LTD..... Petitioner

Through: Mr. Mukesh Anand, Advocate

versus

M/S LOYAL SCAFFOLDING PVT LTD

..... Respondent

Through: Mr. Ramanpreet Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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03.04.2018

There are three suits pending between the parties they being (i) CS DJ No.612863/2016 titled M/s. Bhilangana Hydro Power Ltd. vs. M/s. Scaffolding Pvt. Ltd. pending before Ms. Vandana Chauhan, ADJ-01 (West), Tis Hazari Courts, Delhi; (ii) CS DJ No.619051/2016 titled M/s. Scaffolding Pvt. Ltd. vs. M/s. Bhilangana Hydro Power Ltd., pending before Sh. Harish Kumar, ADJ-13 (Central), Tis Hazari Courts, Delhi; and (iii) CS DJ No.611563/2016 titled M/s. Scaffolding Pvt. Ltd. vs. M/s. Bhilangana Hydro Power Ltd. pending before Ms. Manjusha Wadhwa, ADJ (West), Tis Hazari Courts, Delhi).

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The plaintiff of the second and third above mentioned suits has come up with the transfer petition (civil) No.223/2017 seeking “*consolidation*” of the first and second above mentioned suits. On the other hand, the plaintiff of the first above mentioned suit has come with its own transfer petition (civil) No.23/2018 seeking “*consolidation*” of all the three suits, thereby virtually conceding to the prayer in the first captioned transfer petition.

Given the fact that all the three suits are between the same parties, the cause of action statedly having been claimed by the first petitioner herein on the basis of fact that the contract was executed in their office at Mayapuri Industrial Area, New Delhi, it would be just and proper that all the three suits are brought before the same Court and the prayer for “*consolidation*” be left to be considered and decided upon by the trial Court.

In view of the above, the first two captioned suits are withdrawn from the courts of additional district judge-01 (West) and additional district Judge-13 (Central), both at Tis Hazari Courts, Delhi and transferred for further proceedings in accordance with law to the court of Ms. Manjusha Wadhwa, additional district Judge, (West), Tis Hazari Courts, Delhi. The transferor court shall send the respective files to the transferee court, fixing an appropriate date for the parties to appear there.

Both the petitions stand disposed of in above terms.

Dasti to both sides.

R.K.GAUBA, J.

APRIL 03, 2018

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