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

+ **TR.P.(C.) 15/2019**

SUBHASH VOHRA

..... Petitioner

Through: Mr Prateek Mehta and Mr N. P.
Balaraman, Advocates.

versus

NEERAJ JAIN & ANR

..... Respondents

Through: Mr B. Venkatraman and Mr Anirudh
K. Mudgal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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22.07.2019

CM No.8509/2019

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, praying that Civil Suit bearing No. 124/2016 captioned 'Subhash Vohra v. Neeraj Jain & Anr.', be transferred from the court of learned ADJ, East District, Karkardooma Court to the court of District Judge, Shahdara District, Karkardooma Court Complex.

3. The petitioner states that the suit in question was instituted before this Court on 27.08.2011 and the same was transferred to the court of District Judge, East District, Karkardooma Complex on 26.11.2015, on account of enhancement of pecuniary jurisdiction.

4. It is stated that at the material time when the suit was transferred, the

District court for Shahdara had not been constituted. Thus, the suit was transferred to the court which had jurisdiction as the defendants were residing within the jurisdiction of the District Court (East District, Karkardooma Court Complex). It is stated that subsequently, the Shahdara District Court was made. It is contended that since the defendants are residing within the jurisdiction of Shahdara District, the suit ought to be transferred to the District Court (Shahdara District).

5. The said contention is unmerited. Admittedly, at the relevant time when the suit was transferred – that is on 26.11.2015 – the District Court (East District) had the jurisdiction to entertain the same. Any subsequent adjustment regarding the boundaries of a district would not denude the court of its jurisdiction in respect of a suit that was correctly instituted. Admittedly, the formation of the District Court (Shahdara District) did not entail transfer of pending suits.

6. The petition is unmerited and, accordingly, dismissed.

VIBHU BAKHRU, J

JULY 22, 2019

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