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

+ **TR.P.(C.) 23/2019 and CM Nos. 10999/2019 & 11000/2019**

SUNNY KHURANA & ANR Petitioners

Through: Mr Praveen Suri with Ms Jessica
Jacob, Advocates.

versus

GIRDHARI LAL & ANR Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.05.2019**

1. None appears for the respondents despite service of notice.
2. The petitioners have filed the present petition, *inter alia*, praying that the Civil Suit bearing No. 1763/2016 captioned “*Girdhari Lal & Others v. Sh. Ashok Kumar & Others*”, which is pending before the Court of Learned ADJ, East District, Karkardooma Court be transferred to the concerned Court in West District.
3. The plaintiffs in the said suit had sought cancellation of an Agreement to Sell dated 21.05.1997 entered into between defendant no.1 and one Sh. Kishan Chand, in respect of the suit property bearing No. 38/1 & 2, Double Storey, Ramesh Nagar, New Delhi (hereafter ‘the said property’). The petitioner claims to have acquired the said property through Kishan Chand. Although, the petitioner is not a party to the said suit, it is stated that an application under Order 1 Rule 10, CPC, has been filed seeking to implead the petitioner and the learned counsel appearing for the petitioner states that the petitioner is not contesting the said application and readily concedes to

implead the defendant in the said suit. It is further stated that two other suits have been filed for the recovery and possession of the said property, being Civil Suit No. 1166/2018 captioned “*Girdhari Lal Tolani v. Narender Kumar and Anr.*” and Civil Suit No. 1167/2018 captioned “*Girdhari Lal Tolani v. Jagdish Lal & Another*”. The said suits are pending before the Court of learned ADJ, West District, Tis Hazari Court Complex.

4. Since the controversy involved in the suits may be interrelated and also considering that the said property falls within the West District, this Court considers it apposite to allow the present petition.

5. Accordingly, Suit No. 1763 of 2016 captioned “*Girdhari Lal and Others v. Sh. Ashok Kumar and Others*” is transferred from the Court of learned ADJ, West District, Karkardooma to the West District, Tis Hazari Court. The parties are directed to appear before the concerned Court on 03.06.2019.

6. The applications also stand disposed of.

7. Order *dasti* under signature of Court Master.

VIBHU BAKHRU, J

MAY 17, 2019

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