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

+ **TR.P.(C.) 84/2019**

SONALI SHARMA

..... Petitioner

Through: Mr Vikas Sharma, Advocate.

versus

RAKESH SHARMA

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.07.2019

CM No.29263/2019

1. Allowed, subject to all just exceptions.

TR.P.(C.) 84/2019

2. The petitioner has filed the present petition under Section 24 of the Code of Civil Procedure, 1908, *inter alia*, praying that the Succession Petition filed by the petitioner – Petition No.34 of 2018 captioned ‘Ms Sonali Sharma v. Shri Rakesh Sharma’ – which is currently pending before the Court of learned ACJ-CCJ-ARC (South-West), Dwarka Courts, New Delhi be transferred to the concerned Court, Central District, Tis Hazari Courts Complex.

3. The petitioner states that the said Succession Petition was filed to declare the petitioner as the legal heir in respect of the moveable assets left behind by her deceased mother, Smt Sunita Sharma. It is stated that at the time of her demise, the petitioner’s mother was residing at flat bearing

no.2293, Gali Pahari Wali, Nai Sarak, Delhi-110006. The Succession Petition ought to have been filed before the concerned Court, Central District, Tis Hazari.

4. The petitioner states that there is no contesting party. The petitioner's father is the other legal heir entitled to claim the assets of the deceased. However, it is stated that his whereabouts have not been known since 1994. It is stated that he is also not contesting the aforesaid petition. Since it is stated that there is no contesting party, this Court does not consider it necessary to issue notice in this petition.

5. In view of the averments made in the present petition, the petition is allowed and the Petition No. 34 of 2018 captioned 'Ms Sonali Sharma v. Shri Rakesh Sharma' is transferred to the District Court, Central District, Tis Hazari Courts, Delhi.

6. The petitioner shall appear before the concerned court on 18.07.2019.

7. The petition is disposed of.

VIBHU BAKHRU, J

JULY 03, 2019

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