

\$~7

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

+ **TR.P.(C.) 75/2018**

RAM KUMAR GUPTA & ORS Petitioners
Through Mr. Pankaj Chauhan, Adv.

versus

KIRANDEVI DHARMSHALA
ALIAS & ORS Respondents
Through None.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.05.2019**

1. None appears on behalf of the respondents despite service of notice.
2. The petitioner has filed the present petition under Section 24 of the Code of Civil Procedure, 1908, *inter alia*, praying that the Suit bearing No.15/2016, captioned ***Ram Kumar Gupta v. Kirandevi Dharmshala & Ors.***, which is pending before the court of learned District and Sessions Judge, (North East District), Karkardooma Court Complex, Delhi, be transferred to the court of the District and Sessions Judge, Shahdara District, Karkardooma Court complex, Delhi. The petitioner states that the said suit is for declaration, possession and injunction in respect of the property bearing No.1/10128/West Gorakh Park, Shahdara, Delhi. It is stated that the said suit was initially filed before this Court and was numbered as Suit No.1839/2012. The said suit was transferred to the North East District on account of enhancement of pecuniary jurisdiction.

3. The learned counsel appearing for the petitioners further submits that the said transfer is erroneous and the suit ought to have been transferred to the courts at Shahdara District, Karkardooma, since the property in question is located in Shahdara.
4. In view of the above, the present petition is allowed and the aforementioned suit bearing No.15/2016 is transferred from the court of District and Sessions Judge, North East District, Karkardooma Court Complex, Delhi to the court of District and Sessions Judge, Shahdara District, Karkardooma Court Complex, Delhi.
5. The parties are directed to appear before the concerned court on 09.07.2019.
6. Order *dasti* under the signatures of the Court Master.

MAY 21, 2019
DR

VIBHU BAKHRU, J