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

% *Date of Order: 13.02.2019*

+ **Tr. P. (C) No.125/2018**

KAVITA JAIN

..... Petitioner

Through: Mr.H.K. Chaturvedi, Advocate
with Mr.Sagar Chaturvedi,
Advocate.

versus

MUNNA LAL SHARMA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

CM No.6161/2019 (for early hearing)

1. Despite the advance copy of the application having been served, there is no appearance on behalf of the respondent.
2. Learned counsel for the applicant states that the next date of hearing before the trial court is 18.02.2019. In the circumstances, the application is allowed.

TR.P.(C.) 125/2018

3. Notice of the Transfer Petition for 14.08.2018 has been served on the respondent, who did not put in his appearance. Therefore, next date in this petition i.e. 14.03.2019 is cancelled. I proceed to dispose of this petition.

4. The petitioner seeks transfer of her Civil Suit No.2077/2016 filed by her from the court of Ms.Shuchi Laler, learned Additional District Judge-04, East District, Karkardooma Courts, Delhi ('ADJ') to the court of District/Additional District Judge, North-East District, Karkardooma Courts, Delhi.

5. Learned counsel for the petitioner in support of his contention has drawn the attention of the court to the order dated 23.01.2018 passed by the learned ADJ, wherein she observed that *'The present is a suit for recovery of possession with respect to the property bearing no.K-631, Gali No.3, Gautam Vihar, Ghonda, Gujran, Khadar, Delhi. Prima facie the court is of the opinion that the suit property is situated within the territorial jurisdiction of North East District.'*

6. Since the suit property is situated within the territorial jurisdiction of North-East District, the said civil suit no.2077/2016 is ordered to be transferred from the court of learned ADJ-04, East District, Delhi to North-East District, Karkardooma Courts, Delhi. The learned District Judge, North-East District is requested to assign the case to any court of competent jurisdiction in his district for disposal in accordance with law.

7. The petition is disposed of.

(VINOD GOEL)
JUDGE

FEBRUARY 13, 2019
"shailendra"