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

+ **TR.P.(C.) 140/2018**

VIJAY KUMAR @ BIJENDER KUMAR & ANR Petitioners
Through: Counsel (appearance not given).

versus

PAWAN KUMAR & ORS Respondents
Through: Mr Shashank Vachher, Advocate for
R-1 & 2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **26.07.2019**

1. The petitioners have filed the present petition under Section 24 of the Civil Procedure Code, 1908, *inter alia*, praying that suit bearing no. 8562/2016 captioned “*Vijay Kumar and Anr. v. Pawan Kumar and Ors.*” which is pending before the Civil Judge, West District, Tis Hazari Courts be transferred to the competent court, as the plaint has been allowed and the pecuniary value of the suit has been increased.
2. The learned counsel appearing for the petitioners states that the present petition was filed before this Court as the position of the District and Sessions Judge, West District was vacant at the material time. He states that the new incumbent (Judge) has been appointed as the District and Sessions Judge(West) and, therefore, there is now no impediment for the petitioner to move the application before the said court. He states that an application has already been filed seeking similar relief.
3. In view of the above, the present petition is disposed of with liberty to

the petitioners to approach the District and Sessions Judge, West District, Tis Hazari Courts.

4. It is clarified that this Court has not expressed any opinion on the merits of the petitioners' request.

5. The concerned District and Sessions Judge, West District is requested to dispose of the same as expeditiously as possible.

VIBHU BAKHRU, J

JULY 26, 2019
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