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

+ TR.P.(C.) 171/2018 and CM Nos. 37352/2018 & 37354/2018

JATINDER SINGH SODHI Petitioner
Through: Mr Bharat Malhotra, Advocate.

versus

HARPREET KAUR & ORS Respondents
Through: Ms Sudershani Ray, Ms Puja
Chaurasiya and Mr Kesar Singh,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.05.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that the Civil Suit bearing No. 532/2011 (New No. 5918/2016) captioned “*Sh. Jitender Singh Sodhi v. Harpreet Kaur*” be transferred to the Court of Learned ADJ, South-East District, Saket Court Complex.
2. The petitioner states that the said suit is related to the specific performance of the contract and sale of the property bearing No. D-67-68, First Floor, Amar Colony, Lajpat Nagar-IV, New Delhi-110024. It is stated that the respondents have also filed a suit for possession relating to the said property (being Suit No. 271/2017 captioned “*Harpreet Kaur v. Jatinder Singh Sodhi and Ors.*”).
3. The learned counsel appearing for respondents has contested the aforesaid prayer. She submits that the two suits are at different stages. She further states that the suit filed by the petitioner – Suit No. 532/2011 (New

No. 5918/2016) captioned “*Sh. Jitender Singh Sodhi v. Harpreet Kaur*” is at the stage of recording of evidence, and the Local Commissioner appointed by the Court is in the process of recording the evidence. She states that the transfer of the said suit is likely to disrupt the said proceedings.

4. This Court is of the view that since the property in question is located within the jurisdiction of the South-East District, the suit 532/2011 ought to be transferred to the concerned Court in the South-East District. The apprehension expressed by the learned counsel appearing for the respondents is unfounded as the suit shall continue at the same stage as on current stage. The Local Commissioner appointed for recording evidence shall continue to record the said proceedings, except to report to the Court of Learned ADJ South-East District.
5. In view of the above, the present petition is allowed and the suit No. 532/2011 (New No. 5918/2016) captioned *Sh. Jitender Singh Sodhi v. Harpreet Kaur* is transferred to the Court of Learned ADJ South-East District, Saket Court Complex. The Court is requested to dispose of the case, as expeditiously as possible.
6. The petition and the applications are disposed of.

VIBHU BAKHRU, J

MAY 17, 2019
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