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

+ **TR.P.(C.) 176/2018**

LUV BHARDWAJ

..... Petitioner

Through Mr Mohan Malik, Advocate.

versus

PRADEEP SOLANKI & ANR

..... Respondents

Through Mr Karan Khanna, Ms Asmita Kumar,
Advocates for R2/PNB.

Mr Jai Sahai Endlaw, Mr Shivansh Soni, Advocate
for R1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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15.05.2019

CM APPL. 38587/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

TR.P.(C.) 176/2018

3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“allow the present Petition by withdrawing/transferring the suit of identical issues relating to the same suit property pending before Ld. ADJ - 03, South-West, Dwarka Court, New Delhi bearing Suit No. 1104/2017 titled as Pardeep Solanki Vs. Luv Bhardwaj 85 Anr. to this Hon'ble Court for joint hearing along with the C.S. (OS) No. 350/2017 titled as Pradeep Solanki Vs. Union of India & Ors., which is pending adjudication before this Hon'ble Court and is now

listed on 15.11.2018.”

4. The suit bearing No. 1104/2017 has been instituted by the respondent no.1, *inter alia*, seeking cancellation of a sale deed of a property measuring 2 bigha 12 biswas out of a total measuring 3 bighas and 16 biswas (3-16), Khasra No. 54/2, situated in the revenue estate of village Nasripur, Delhi-110045. The said suit is currently pending before the learned ADJ, Dwarka Courts, New Delhi. The petitioner claims that the said suit ought to be withdrawn and heard by this Court since another suit, bearing CS (OS) No. 350/2017 captioned Pradeep Solanki Vs. Union of India & Ors., is pending before this Court.

5. Mr Endlaw, learned counsel appearing for the respondent states that the said suit relates to the ownership of the property in question and respondent no.1 has filed the said suit seeking declaration that the property in question does not belong to the Gaon Sabha.

6. It is seen that the controversy involved in both the suits are different and the issues in the suits are not common. Therefore, this Court finds no reason to allow the present petition.

7. The same is, accordingly, dismissed.

VIBHU BAKHRU, J

MAY 15, 2019

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