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

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TR.P.(C.) 6/2022, CM APPL. 4692/2022

DALIP KUMAR SALUJA

..... Petitioner

Through: Mr. Praveen Suri, Adv.

versus

VIJAY KUMAR SALUJA &amp; Ors.

..... Respondents

Through: Ms. Beenashaw N. Soni, Adv. (legal  
Aid) for R-1.

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***Date of Decision: 4<sup>th</sup> July, 2022*****CORAM:****HON'BLE MR. JUSTICE DINESH KUMAR SHARMA****J U D G M E N T****DINESH KUMAR SHARMA, J. (Oral)**

1. The present petition has been filed for transfer under Section 24 of the CPC for transferring the case titled as ***“Vijay Kumar Saluja v. Dalip Kumar Saluja”*** bearing CS No. 1266/2021 pending in the Court of learned Civil Judge, District West, Tis Hazari Courts, Delhi before this Court. It has been submitted that a suit for declaration titled as ***“Dalip Kumar Saluja v. Vijay Kumar Saluja”*** bearing CS (OS) No. 24/2021 is pending disposal before this Court.
2. Learned counsel for the petitioner submits that in both the suits, the subject matter of the property is 3/131, Ramesh Nagar, New Delhi-110015 and therefore in order to avoid any contradictory decisions, it



would be in interest of justice that the suit pending before learned Civil Judge bearing CS No. 1266/2021 be transferred to this Court.

3. Ms. Beenashaw N. Soni, learned legal Aid counsel for respondent No.1 states that as per instructions, she has no objection if the CS No. 1266/2021 pending before learned Civil Judge, District West, Tis Hazari Courts, Delhi is transferred to this Court.
4. Learned counsel for the petitioner has invited the attention of this Court to the order dated 9<sup>th</sup> March, 2022 whereby it has been recorded that respondent No.2 and 3 have not joined the proceedings despite being served.
5. It has further been submitted that even otherwise, the suit bearing CS No. 1266/2021 which is to be transferred, is only between petitioner and respondent No.1.
6. In view of the submissions made, the present petition is allowed.
7. The civil suit bearing CS No. 1266/2021 titled as “***Vijay Kumar Saluja v. Dalip Kumar Saluja***” is withdrawn from the Court of learned Civil Judge, District West, Tis Hazari Courts, Delhi and transferred to this Court.
8. Registry is directed to take necessary steps for requisition of the record and for placing it before the Roster Bench as per directions of Hon’ble the Chief Justice.



NEUTRAL CITATION NO: 2022/DHC/002450

9. In view of the above, the present petition along with pending applicaiton stands disposed of.

**DINESH KUMAR SHARMA, J**

**JULY 4, 2022**

*Pallavi*

