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

+ **TR.P.(C.) 24/2022**

**JYOTI AND ANR.**

..... Petitioner

Through: Mr. Ravinder Sharma, Advocate.

versus

**SHARDA DEVI AND ORS.**

..... Respondent

Through: Mr. Rajat Rathee, Advocate (through V.C.)

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*Date of Decision: 07<sup>th</sup> September, 2022.*

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**J U D G M E N T**

**DINESH KUMAR SHARMA, J. (Oral)**

**CM APPL.39355/2022 (exemption)**

Exemption allowed subject to all just exceptions.

**CM APPL.39354/2022 (for restoration)**

The present application has been moved for restoration of TR.P.(C.) 24/2022, which was dismissed in default for non-prosecution vide order dated 07.07.2022.

For the reasons stated in the application, the application is allowed. The transfer petition bearing number TR.P.(C.) 24/2022 is restored to its

*TR.P.(C.) 24/2022*

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original number.

The petition is taken up for hearing today itself.

**TR.P.(C.) 24/2022**

1. Proceedings in this petition were initiated pursuant to order passed by the learned Principal District & Sessions Judge, New Delhi dated 05.04.2022, which is reproduced herein below:-

*“The pleadings are complete. However, it is conceded by Ld. Counsel for the parties that the premises in question, which is located at Indra Park, Palam Colony, New Delhi-110045, falls under the territorial jurisdiction of the competent Court at Dwarka Court Complex, New Delhi.*

*This Court does not have the power to pass directions for Inter-District Transfer. Since the case pertains to the South-West District, the Registrar General, Hon'ble High Court of Delhi, New Delhi is requested to assign this matter to the competent Court at Dwarka Court Complex, New Delhi.*

*The file complete in all respect be sent forthwith to the office of worthy Registrar General, Hon'ble High Court of Delhi, New Delhi, where the parties shall appear for further proceedings/directions on 11.04.2022.”*

2. On receipt of this communication, the matter was listed before this Court.

3. Learned counsel for both the parties submit that since the subject matter of the suit falls within the jurisdiction of the learned Principal District & Sessions Judge South-West, the suit may be transferred to the Court of the learned Principal District & Sessions Judge, South-West, Dwarka for



assigning it to the Court of competent jurisdiction.

4. In view of the submissions made, the Civil Suit bearing CS No.350/2021 titled as *Jyoti & Anr. vs. Sharda Devi & Ors.* is withdrawn from the Court of learned Principal District & Sessions Judge, Patiala House, New Delhi and assigned to the Court of learned Principal District & Sessions Judge, South-West Dwarka for self-assignment or for assigning it to any other Court of competent jurisdiction.

5. Let the entire record be sent to the Court of learned Principal District & Sessions Judge, South-West Dwarka immediately.

6. Copy of this order be sent to the learned Principal District & Sessions Judge, Patiala House, New Delhi and the learned Principal District & Sessions Judge, South-West Dwarka.

7. The parties are directed to appear before the learned Principal District & Sessions Judge, South-West Dwarka on 20<sup>th</sup> September, 2022.

8. Accordingly, the present petition along with all pending applications stands disposed of.

**DINESH KUMAR SHARMA, J**

**SEPTEMBER 07, 2022**  
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