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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TR.P.(C.) 35/2022**

PARSHU RAM

..... Petitioner

Through: **Mr. Satya Narayan, Advocate.**

versus

KISHAN & ORS.

..... Respondents

Through: **Mr. Satinder Singh, Advocate for
respondent Nos.2 to 6.
Mr. Manashwy Jha with Ms. Vaishali
Gupta, Advocates for respondent
Nos.9 & 10.**

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Date of Decision: 30th May, 2022.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CAV.144/2022

Since learned counsel for respondent Nos.2 to 6 has entered appearance, the caveat stands discharged.

CM APPL.25904/2022 (exemption)

Exemption is allowed subject to all just exceptions.

TR.P.(C.) 35/2022 & CM APPL.25903/2022 (stay)

1. Present petition has been filed seeking transfer of the following cases to one Court:-

- (i) Suit No.CS-341/21 titled as Amit Sharma vs. Parshu Ram
& Ors. pending in the court of Shri Kumar Rahul, Civil

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Judge, North, Rohini Courts, Delhi.

- (ii) Civil Suit No.719/21 titled as Shri Krishan vs. Parshu Ram & Ors. Pending in the court of Shri Shirish Aggarwal, ASCJ (Central), Tis Hazari Courts, Delhi.
- (iii) Suit No.CS-239-21 titled as Dharamveer Tyagi vs. Amit Sharma & Ors. pending in the court of Shri Sunil Kumar, ADJ-North, Rohini Court, Delhi.
- (iv) Suit No. CS DJ No.60045/16 titled as Shri Krishan vs. Anand Sharma & Os. pending in the court of Ms. Rekha, ADJ-North, Rohini Courts, Delhi.

2. The ground for seeking transfer is that the subject matter in all the cases is the same.

3. Learned counsel for respondent Nos.2 to 6, who has appeared in Caveat, has opposed the transfer on the ground that mere transfer of all the cases will only delay the trial. Learned counsel for respondent Nos.2 to 6 further submits that in fact the respondent Nos.1, 7 and 8 are allegedly the colluding party.

4. Without going into the merits of the case and taking into account that the subject matter of all the petitions is the same, let suit No.CS-341/21 titled as Amit Sharma vs. Parshu Ram & Ors. pending in the court of Shri Kumar Rahul, Civil Judge, North, Rohini Courts, Delhi. and Civil Suit No.719/21 titled as Shri Krishan vs. Parshu Ram & Ors. pending in the court of Shri Shirish Aggarwal, ASCJ (Central), Tis Hazari Courts, Delhi



be placed before the learned Principal District & Sessions Judge (HQ) Delhi to assign to the Court of competent jurisdiction in the Central District.

5. Similarly, Suit No.CS-239-21 titled as Dharamveer Tyagi vs. Amit Sharma & Ors. pending in the court of Shri Sunil Kumar, ADJ-North, Rohini Court, Delhi and Suit No. CS DJ No.60045/16 titled as Shri Krishan vs. Anand Sharma & Os. pending in the court of Mr. Harish Kumar, ADJ-North, Rohini Courts, Delhi be also placed before the learned Principal District & Sessions Judge (HQ) Delhi to assign to the Court of competent jurisdiction in the Central District.

6. It is clarified that Suit No.341/21 and Civil Suit No.719/21 may be assigned either to the learned Senior Civil Judge or learned Civil Judge as per the directions of the learned Principal District & Sessions Judge (HQ) and Suit No.CS-239-21 and Suit No. CS DJ No.60045/16 be assigned to the Court of learned ADJ as per the directions of learned Principal District & Sessions Judge (HQ).

7. With these observations, writ petition stands disposed of.

8. Parties are directed to appear before the learned Principal District & Sessions Judge (HQ) on 03rd June, 2022. The transferee concerned Court may also be requested to dispose of the matter expeditiously in accordance with law.

DINESH KUMAR SHARMA, J

May 30, 2022/st