



2024:DHC:1874



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

+ **TR.P.(C.) 40/2024**

ASHOK KUMAR

..... Petitioner

Through: **Mr. P.N. Malhotra, Advocate**

versus

VIJAY KUMAR & ORS.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (ORAL)

04.03.2024

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CM APPL. No. 13313/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The respondents in this Transfer petition are defendants before the learned Additional District Judge (learned ADJ) in CS 2292/2016 (*Ashok Kumar v. Vijay Kumar and Ors.*).

4. Mr. P.N. Malhotra, learned counsel for the petitioner, has drawn my attention to order dated 12 February 2024 passed by the learned ADJ, in which the learned ADJ has observed that his court had no

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territorial jurisdiction to deal with the suit and that the suit would lie within the territorial jurisdiction of the courts dealing with the North-East District in the Karkardooma Court.

5. Accordingly, Mr. Malhotra prays that CS 2292/2016 may be transferred to the court of competent jurisdiction in the North-East District in the Karkardooma Court.

6. I have seen the order dated 12 February 2024. The learned ADJ has categorically noted that the suit would have to be transferred to the North-East District in the Karkardooma Court. The petitioner has also been advised to take appropriate steps in this regard.

7. The respondents do not appear to contest this position.

8. Accordingly, CS 2292/2016 (*Ashok Kumar v. Vijay Kumar and Ors.*) stands transferred from the court of the learned ADJ-01, Karkardooma Court to the competent court in the North-East District, Karkardooma Court, Delhi forthwith. The Registry of the Karkardooma Court is directed to take expeditious steps to ensure that the records are transmitted to the transferee Court.

9. The petition stands allowed in the aforesaid terms.

C.HARI SHANKAR, J

MARCH 4, 2024/yg

[Click here to check corrigendum, if any](#)

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