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

+ **TR.P.(CRL.) 20/2024**

YASHVEER SINGH

..... Petitioner

Through:

versus

HC SHRI PRAKASH AND ANR.

..... Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.03.2024

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1. This case has been listed before the Court pursuant to a communication dated 16.02.2024, forwarding an order dated 15.02.2024, passed by the Principal District & Sessions Judge, South West, Dwarka Courts, New Delhi, which reads as follows:-

"Vide order dated 02.11.2023 passed by the court of Mr. Ajay Singh Shekhawat, Ld. ASJ-02, (SC/ST) & HR, South West, the file has been sent to this court observing therein that due to some personal reasons the court does not want to try the same and a request has been made to mark it to some other court.

This court vide its order dated 02.11.2023 called for comments of the Ld. Presiding Officer.

Comments were received by this court on administrative side. After going through the comments, this court is of the opinion that there are valid reasons for the Ld. Judge, Mr. Ajay Singh Shekhawat for not dealing with the compliant.

Keeping in view the fact that the compliant pertains to the offences punishable u/s 3/4/7 of SC/ST (Prevention of Atrocities) Act, 1989, it ought to be dealt with by the specially designated court. However, the court of Sh. Ajay Singh Shekhawat is the only specially Designated court in South-West District to deal with such type of cases and this court has no power to transfer the cases to other district, reference is drawn and the matter



may be accordingly sent to Hon'ble High Court of Delhi so that the reference is registered as Transfer Petition and is placed before the concerned Hon'ble Bench for necessary directions in the matter.

Complainant to appear before the Ld. Registrar General, High Court of Delhi "

2. From the order, it is apparent that Mr. Ajay Singh Shekhawat, learned ASJ-02, (SC/ST) & HR, South West, in whose court the case was pending, has recused from the matter due to personal reasons. The complaint pertains to offences punishable under Sections 3/4/7 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which can only be dealt with by a specially designated court. However, the court of Sh. Ajay Singh Shekhawat is the only specially designated court in South-West District to deal with such type of cases and thus the matter has been sent to this Court as it involves inter-district transfer.

3. Accordingly, complaint bearing CC No.795/2023 titled 'Yashveer Singh v. HC Shri Prakash & Another' is transferred to the concerned Court dealing with matters relating to offences punishable under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in North-West District, Rohini Courts, Delhi. The matter be placed before the learned Principal District and Sessions Judge, North-West District, Rohini Courts, Delhi, with advance intimation to the parties, for appropriate orders.

4. Copies of the order shall be sent for information and compliance to the learned Principal District and Sessions Judge, North-West District, Rohini Courts, Delhi as well as learned Principal District and Sessions Judge, South-West District, Dwarka Courts, New Delhi.

JYOTI SINGH, J

MARCH 07, 2024

B.S. Rohella