



2024:DHC:1129



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **TR.P.(C.) 89/2023****SYED SAJID HUSSAIN**

..... Petitioner

Through: Mr. Amiet Andlay, Mr. Arun K. Sharma, Advs.

versus

DEEBA IKRAM & ORS.

..... Respondents

Through: Mr. Khowja Siddiquie, Mr. Ashwini Kumar and Mr. Shadab Ahmad, Advs. for R-1

Mr. M. Tarique Siddiqui, Mr. Abhishek Kumar Tanwar, Mr. Fajallu Rehman, Advs. for R-3 and 4

CORAM:**HON'BLE MR. JUSTICE C. HARI SHANKAR****ORDER (O R A L)**

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13.02.2024

1. This petition under Section 24 of the Code of Civil Procedure, 1908 (CPC) seeks transfer of Suit 9768/2016 (*Deeba Ikram @ Deeba Khan v. Syed Sajid Hussain & Anr.*) pending before the learned Additional District Judge, Saket (ADJ-04) Sought East, Saket Court, to this Court and consolidation with CS (OS) No. 117 of 2021 (*Leena Imran & Anr. v. Deeba Ikram @ Deeba Khan & Ors.*).

2. There is no dispute that the both suits pertain to the same property and that rival rights are, therefore, involved.



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3. In the understanding of this Court, two suits which deal with the same property have advisedly to be heard by the same Court as to avoid conflicting decisions.

4. Accordingly, Suit 9768/2016 (*Deeba Ikram v. Syed Sajid Hussain & Anr.*) is transferred to this Court. The said suit is stated to be pending at the stage of recording of defendant's evidence.

5. Consequent on transfer, let the Suit 9768/2016 be re-numbered by the Registry of this Court and listed before the Joint Registrar (Judicial) for completion of recording of the defendant's evidence on 5 March 2024, the date already fixed.

6. This Court is not expressing any view on whether the two suits should be consolidated. It would be open for learned Counsel for both sides to move the concerned Court in this regard and raise their respective contentions.

C. HARI SHANKAR, J.

FEBRUARY 13, 2024

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