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

+ **CS(OS) 503/2022**

KARAN RAJ SHARMAPlaintiff

Through: **Ms. Amrita Sharma, Advocate**
versus

NEHA PATHANIADefendant

Through: **Mr. Vikram Pradeep and Mr. Anay Khandelwal, Advs.**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **11.12.2024**

1. Learned counsel for the plaintiff states that the cause of action in this suit for declaration, possession and permanent injunction is arising out of a matrimonial relationship.

1.1. She states that as per the judgment passed by the Division Bench of this Court in **Geeta Anand v. Tanya Arjun & Anr.**¹, the matter be transferred to the concerned Family Court at Saket Court, South-East, District, New Delhi and to be tried and heard as per the provisions of Family Court Act, 1984.

1.2. She prays that this suit proceedings be transferred since the pleadings have been completed and the parties can proceed further from the same stage of the proceedings, as this will save judicial time and costs to the parties.

2. In reply, learned counsel for the defendant states that he as well has instructions that he has no objection to the said prayer for transfer and therefore joins in the request for transfer of the suit. He states that he also has no objection to the request that the proceedings continue from the



present stage and on the basis of the existing pleadings.

3. He also states that in view of this prayer sought by the plaintiff to transfer the suit, the application I.A. 47922/2024 filed by defendant may be dismissed as withdrawn as it does not survive for consideration.

4. In view of the aforesaid joint submissions of the parties, this Court finds no impediment in transferring the present suit. Accordingly, it is hereby directed that the registry may transfer the records of this suit to the concerned Family Court at Saket Court, South-East, District, New Delhi to be tried in accordance with law. The Transferee Court will proceed with the suit from the stage it is at present on the basis of the pleadings existing on the record.

5. In view of the submissions recorded hereinabove I.A. 47922/2024 is hereby dismissed as withdrawn.

6. The parties are directed to appear before the concerned Transferee Court on **04.02.2025**.

7. The plaintiff is directed to render assistance to the registry for taking appropriate steps.

8. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 11, 2024/mt/ms

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

¹ 2024 SCC OnLine Del 2327