



2024:DHC:212



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

+ **TR.P.(C.) 145/2023**

SHRI MAHESH TALREJA Petitioner

Through: Mr. Shiv Charan Garg, Mr.
Imran Khan and Ms. Jahanvi Garg, Advs.

versus

RADHA SAVITRI SINDHI DHARAMSHALA

CHARITABLETRUST & ORS. Respondents

Through: Mr. Kartik Kumar, Adv. for R-
1 to 3

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)

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10.01.2024

1. This petition seeks transfer of CS DJ 305/2019 (*Radha Savitri Sindhi Dharamshala Charitable Trust v. Mahesh Talreja*), presently pending before the learned ADJ, North-West, District Court, Rohini to this Court, to be heard along with CS (OS) No. 33/2019 (*Mahesh Talreja v. Manoj Talreja*).

2. There is no dispute about the fact that both suits pertain to the same property. The petitioner, as the plaintiff in CS (OS) No. 33/2019, has sought partition of the suit property. The respondent, as the plaintiff in CS DJ 305/2019, has sought possession of the property on the ground that the property belongs to a trust.



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3. The grant of relief in either case would clearly impact the other and the reliefs sought in both suits cannot be simultaneously granted.
4. In that view of the matter, it is necessary that both these suits are heard by one court.
5. Accordingly, the prayer for transfer is required to be granted.
6. CS DJ 305/2019 (*Radha Savitri Sindhi Dharamshala Charitable Trust v. Mahesh Talreja*), presently pending before the learned ADJ, North-West, District Court, Rohini stands transferred to this Court, to be listed along with CS (OS) No. 33/2019 (*Mahesh Talreja Vs. Manoj Talreja*).
7. The Registry of the Rohini Court is directed to take appropriate steps to transmit the records of CS DJ 305/2019 (*Radha Savitri Sindhi Dharamshala Charitable Trust v. Mahesh Talreja*) to this Court.
8. The Registry of this Court is also directed to take steps to requisition the said records.
9. The transfer petition stands allowed accordingly.

C. HARI SHANKAR, J

JANUARY 10, 2024

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Click here to check corrigendum, if any

Signature Not Verified

Digitally Signed By: **ATP** (C) 145/2023
KUMAR
Signing Date: 11.01.2024
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