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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TR.P.(C.) 125/2024, CM APPLs. 43131/2024, 49210/2024, &
49421/2024**
HUAWEI TELECOMMUNICATIONS (INDIA) CO. PVT. LTD.

.....Petitioner

Through: Ms.Sumitra Choudhary, Ms.Nitya
Sharma and Ms.Jasmine Sheikh,
Advs.

versus

M/S ARUN INDUSTRIES

.....Respondent

Through: Mr.Apoorv Kurup and Ms.Gauri
Goburdhun, Advs for R-1/UGC.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **23.10.2024**

1. Having heard learned counsel appearing for the respective parties, the Court takes note of the fact that *Civil Suit No.479/2023* is pending before the Court of *Mr. Ajay Kumar Jain, District Judge Commercial*, which is at the stage of final arguments whereas, *Civil Suit No.478/2023* is at the stage of framing of issues.

2. Section 24 of the Code of Civil Procedure empowers the Court to transfer matters from one Court to another based on reasonable grounds. However, it is apparent that the Court has to exercise due rigor before exercising the said power taking note of the essential legal provisions and conducting a thorough examination of facts, including balance of equities of the parties before directing the transfer of cases.

2. In light of the aforesaid observation, the Court is unable to exercise its



power under Section 24 of the CPC, 1908 keeping in mind the irreconcilable stages of the cases and accordingly, the instant petition along with pending applications stands dismissed.

PURUSHAINDR KUMAR KAURAV, J
OCTOBER 23, 2024/MJ