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

+ **TR.P.(C.) 141/2024**

VINAY KUMAR SHARMA (SINCE DECEASED)

THR LRS

.....Petitioners

Through: Mr. Sunil Goel, Ms. Akshita Jain and
Ms. Dimple Aggarwal, Advocates
(through VC).

versus

SUKHBIR SARAN AGGARWAL (SINCE DECEASED)

THR LRS

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

14.08.2024

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1. The present transfer petition pertains to transfer of proceedings in RC33/2024, titled '*Vinay Kumar Sharma (Since Deceased) Thr. LRs. vs. Sukhbir Saran Aggarwal (Since Deceased) Thr. LRs*', pending before the Court of learned Principal District & Sessions Judge (HQs), Tis Hazari Courts, to some other court.
2. This transfer petition arises out of the letter dated 08.08.2024, along with letter No.1308/Ld. PD&SJ (HQ)/Ahlmad/2024 dated 01.08.2024, of learned Principal District & Sessions Judge, HQs, Tis Hazari Courts, Delhi wherein it was ordered as follows:

“...Due to personal ground, the undersigned do not want to try this



matter. Accordingly, the same he put up before Ld. Registrar General, High Court of Delhi, New Delhi for passing appropriate orders.

Appellant is directed to appear before Ld. Registrar General, High Court of Delhi on 09.08.2024..."

3. The attention of this Court has been drawn towards minutes dated 15.04.2019 of the Administrative and General Supervision Committee, wherein it was resolved as under:

"..."The resolution dated 16.01.2017 of this Committee has been reconsidered. It has been resolved to substitute the word "reference" with "transfer petition" in the said resolution. Therefore, henceforth, the request received from District & Sessions Judges and Principal Judges, Family Courts for transfer of case from one District to another District, subordinate to the High Court and competent to try or dispose of the same, upon recusal or for any other reason, shall be placed by the Registry by way of transfer petition before the concerned Bench for appropriate consideration and orders..."

4. In view of the above, the present matter was forwarded to learned Registrar (Listing) of this Court for being listed before the concerned Bench. Therefore, the present transfer petition is listed before this Court for passing of appropriate orders.

5. This Court has perused the records of the case as well as order dated 23.07.2024 passed by learned Principal District & Sessions Judge (HQs), Tis Hazari Courts.

6. Considering the fact that concerned learned Judge cannot adjudicate the case due to his personal reasons, it will be in the interest of justice if this transfer petition is allowed.

7. Accordingly, it is directed that the proceedings in RCT 33/2024 titled as ***‘Vinay Kumar Sharma (Since Deceased) Thr. LRs. vs. Sukhbir Saran Aggarwal (Since Deceased) Thr. LRs’*** be transferred to the learned



Principal District & Sessions Judge (West), Tis Hazari Courts, Delhi.

8. Let a copy of this Order be sent to the learned Principal District & Sessions Judge, HQs, Tis Hazari Courts, Delhi and learned Principal District & Sessions Judge (West) for information.
9. Parties shall appear before the learned Principal District & Sessions Judge (West) on 02.09.2024 for further directions/proceedings.
10. Accordingly, the petition stands disposed of.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

AUGUST 14, 2024/zp

Click here to check corrigendum, if any