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

+ **TR.P.(C.) 209/2024**

DR ZEENAT BADRUDDIN KHOJA & ANR.Petitioners

Through: **Mr. Rohit Nagar, Adv.**

versus

RAJA INAYATALI SOOMARRespondent

Through: **Mr. Himanshu Garg, Adv.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% 12.12.2024

CM APPL. 72923/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

TR.P.(C.) 209/2024

1. Heard.
2. Issue notice.
3. Learned counsel appearing on behalf of the respondent accepts notice.
4. There appear to be two Civil Suits bearing number *CS 45/2023* and *CS 46/2023* pending before the Family Court, South East District, Saket Court, New Delhi.
5. In pursuance to the order passed in the transfer petition bearing number *TR.P.(C).109/2022*, and in view of the decision rendered in the case of *Avneet Kaur v. Sadhu Singh & Anr.*¹, both the aforementioned cases are

¹ 2021 SCC OnLine Del 5630



transferred to Family Court, South East District, Saket Court, New Delhi and pending therein.

6. It is submitted by the parties that in view of the principle laid down in the case of ***Geeta Anand v. Tanya Arjun***², the law laid down in the case of ***Avneet Kaur*** has been held to be not good in law and accordingly, the cases require to be adjudicated by the Civil Courts.

7. The aforesaid position is not disputed by learned counsel appearing on behalf of the parties and they jointly agree to transfer both the aforesaid Civil Suits from the Family Court, South East District, Saket Court, New Delhi to District Judge, South East District, Saket Court Complex, New Delhi.

8. In view of the aforesaid position, the Court directs for transfer of both the aforesaid Civil Suits to the Court of District Judge, South East District, Saket Court Complex, New Delhi.

9. The Principal District Judge is directed to assign the aforesaid cases to the appropriate Court.

10. Ordered accordingly.

11. The instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

DECEMBER 12, 2024/MJ

² 2024 SCC OnLine Del 2327