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

+ CM(M) 366/2025

SOMAWANTI & ORS.

.....Petitioners

Through: Mr. Simarjeet Singh Saluja,
Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rachita Garg and Ms. Preeti,
Advocates for GNCTD.

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+ CM(M) 373/2025

SOMAWANTI & ORS.

.....Petitioners

Through: Mr. Simarjeet Singh Saluja,
Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% 21.02.2025

CM APPL. 10688/2025 & CM APPL. 10925/2025 (Exemption)

Allowed, subject to all just exceptions.

Both the applications stand disposed of.

CM(M) 366/2025 & CM(M) 373/2025

1. These two petitions have been filed under Article 227 of the Constitution of India for setting aside the common order dated 20.01.2025 passed by the learned Principal District & Sessions Judge, North-West District, Rohini Courts in TP (C) 61/2024 & 63/2024, whereby two different civil suits filed by respondent no.2 with respect to different properties having different cause of action, have been transferred to a single court.



2. The learned counsel for petitioners submits that, petitioner no.1 is the absolute owner of property bearing number 69-D, AD Block, Shalimar Bagh, but was forcibly dispossessed from her above mentioned property by her son respondent no.2.

3. It is stated that petitioner no.1 filed suit CS DJ 262/2024, titled as “*Somawanti V. Arun Ahuja & Anr.*”, under Section 6 readwith Section 39 of the Specific Relief Act, 1963 seeking recovery of possession and permanent and Mandatory Injunction with respect to above mentioned property against respondent no. 2 and his wife which is currently pending adjudication before Ms. Ruchika Singla, Ld. DJ North-West, Rohini Courts, Delhi.

4. It is further submitted that respondent no.2 filed 3 separate suits seeking partition and other reliefs as per the following details:-

a) CS DJ 977/2024 – Sh. Rakesh Kumar Singh, Ld. DJ, North West, Rohini Courts, Delhi.

b) CS DJ 978/2024 – Ms. Ruchika Singla, Ld. DJ, North West, Rohini Courts, Delhi.

c) (iii) CS DJ 982/2024 – Sh. Sunil Chaudhary, Ld. DJ, North West, Rohini Courts, Delhi.

5. Respondent no.2 filed two transfer applications bearing no. TP (C) 61/2024 and 63/7024 before the learned Principal District & Sessions Judge, praying that all the three suits be assigned to one court.

6. Both the transfer applications were disposed of vide common order dated 20.01.2025, with direction to transfer Suit No.5769/2024 (CS DJ 977/2024) and 5770/2024 (CS DJ 978/2024) to the Court of Mr. Sunil Chaudhary, Ld. DJ North-West, Rohini Courts, Delhi.



7. The petitioners are aggrieved by the impugned order on the ground that all the three suits are based on different cause of action, relating to different properties.
8. It is submitted that the reliefs claimed in all the three cases are different and transfer of all the cases to one court would cause inconvenience and delay in the disposal of the cases.
9. Admittedly, parties are related with each other and are common in all the three suits.
10. In my opinion, in the interest of administrative expediency, all the three cases should be tried by the same court.
11. Obviously, it would also be convenient to the parties to appear in the same court as all the three cases would be listed before the same court.
12. I fail to understand as to what prejudice is going to be caused to the petitioners, in case all the three cases are tried by the same court.
13. The learned Principal District & Sessions Judge has taken a correct view by transferring all the three cases before the same court.
14. The impugned order does not suffer from any illegality or perversity.
15. I do not find any reason whatsoever to intervene in the impugned order.
16. There is no merit in the petition.
17. Both the petitions are, therefore, dismissed.

RAVINDER DUDEJA, J

FEBRUARY 21, 2025

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