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

+ **TR.P.(C.) 152/2025**

KUSHAL INFRA PROJECTS INDIA PVT LIMITED

.....Petitioner

Through: Mr. Pratham Sharma, Mr. Harender
Singh, Advocates.

versus

ASHISH BANSAL

.....Respondent

Through: Mr. Ghanisht Bagaria, Advocate.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **22.08.2025**

CM APPL. 51918/2025-Exemption

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

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3. By virtue of the present petition under *Section 24* of the Code of Civil Procedure, 1908, the petitioner seeks transfer of the suit bearing no.CS 16334/2016 titled “***Haryana Jewellers vs. Kushal Infra Projects (India) Pvt. Ltd.***” (***Suit no.1***) pending before the learned District Judge, Tis Hazari Courts, Delhi, to this Court, so that it may be tried together with the suit bearing no.CS (OS) 3069/2011 titled “***Kushal Infra Projects (India) Pvt. Ltd. vs. Ashok @ Ashish Bansal***” (***Suit no.2***) pending before this Court, currently at the stage of respondent's/ defendant's evidence.
4. Issue notice.



5. Learned counsel for the respondent accepts notice.
6. Learned counsel for the respondent submits that the recording of evidence in CS (OS) 3069/2011 commenced nearly *six years* back and as on date, already stands concluded *qua* the petitioner/ plaintiff therein. Now, only the respondent's evidence is to be recorded and the matter would be ripe for final arguments. Based thereon, learned counsel submits that there is no justifiable cause for clubbing of the said suit with CS No.16334/2016, and the same would cause unnecessary prolonging of a suit which has been pending since the year 2011.
7. Learned counsel for the petitioner also concedes that the recording of evidence in both the suits is underway, including in CS No.16334/2016 wherein, too, it has commenced last year.
8. Considering the nature of the pleadings, especially since despite the fact that both the suits had been filed way back in the year 2011, and are on the verge of final culmination, and whence no steps were taken by the petitioner to seek transfer until now, this Court is of the view that it is too late in the day for the petitioner to seek the transfer of CS 16334/2016 to this Court today. Moreover, this Court finds no plausible reasons, nor any pressing urgency to transfer CS 16334/2016 to this Court, as also no fetters as to why the proceedings in both the suits cannot continue as such in accordance with law.
9. Accordingly, the present petition, alongwith the pending application, is dismissed.

SAURABH BANERJEE, J.

AUGUST 22, 2025/So