



\$~73

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

+ **TR.P.(C.) 224/2025 & CM APPL. 80958/2025, CM APPL. 80959/2025**

RAKESH SEHGAL

.....Petitioner

Through: Mr. Samrat Nigam, Sr. Advocate
with Mr. Hitain Bajaj, Ms. Arpita
Rawat and Ms. Kashish, Advocates.

versus

RAVINDER SEHGAL (SINCE DECD) THR LR AND ORS

.....Respondent

Through: Mr. S.K. Sharma, Mr. Tejas Singh
and Mr. Yogender Kumar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
23.12.2025

%

1. The petitioner, *vide* the present petition seeks transfer of CS (Comm) No. 85 of 2024, pending before the District Judge, Commercial-03, Central District, Tis Hazari, Delhi to this Court.

2. It is the case of the petitioner that the parties herein are embroiled in various litigations pending *inter se* them before this Court. Learned senior counsel for the petitioner submits that since the issue(s) germane to all the aforesaid pending litigations is *qua* the partnership firm being Ram Lal Kundan Lal Jewellers, wherein barring respondent n.8 herein, who is a subsequent purchaser, the parties are all siblings or offshoots of the branches of the same tree. As such, the parties being the same and the



issues arising in all the litigations involved *inter se* them being intrinsically linked, connected and similar, the outcome thereof will also be similar/ connected.

3. Learned senior counsel for the petitioner submits that CS (Comm) No. 85 of 2024, for which transfer is being sought is relating to illegal sale of the property of the partnership firm being Ram Lal Kundan Lal Jewellers, whereas one of the suits pending before this Court being CS(OS) 382 of 2011 pertains to rendition of accounts of the very same partnership firm. He submits that considering the validity of the Sale Deeds in CS (Comm) No. 85 of 2024 and the claim of partition are connected to the demise as well as the after effect(s) of Late Mr. Kundal Lal Sehgal, it would be prudent for this Court to allow the present appeal and transfer CS (Comm) No. 85 of 2024 for being finally adjudicated collectively alongwith other proceedings pending before this Court.

4. He submits that since adjudication by this Court is pertaining to the *locus standi* of the petitioner and for going into the validity of various documents involved therein as also involved in CS (Comm) No. 85 of 2024, adjudicating the same separately before a different court of law will tantamount to multiplicity of proceedings and variance in judgment(s). Lastly, he submits that that in CS (Comm) No. 85 of 2024, the learned trial court on 02.08.2025, based on the pleadings made by the parties, was pleased to frame an issue, which is as under:-

“Whether the proceedings of the present suit is liable to be stayed U/s 10 of CPC? (OPDs)”

5. Issue notice.

6. Learned counsel for the respondent appearing on advance service



accepts notice. He submits that there is no proximity involved in the litigations pending before this Court with CS (Comm) No. 85 of 2024. He submits that since adjudication of CS (Comm) No. 85 of 2024 has no bearing upon the pendency, or the final adjudication by this Court in the proceedings pending before it. In effect, there is no reason for this Court to allow the present petition and transfer CS (Comm) No. 85 of 2024 to this Court.

7. He further submits that Shop No. 1336, Ward-II, Ground Floor in issue before the learned Trial Court in CS (Comm) No. 85 of 2024 is nowhere involved in any of the litigations pending *inter se* the parties before this Court. Lastly, he submits that the transfer sought by the petitioner, if allowed, shall prejudice the rights and contentions respondent no.8, who is a subsequent *bona fide* purchaser of the aforesaid shop.

8. This Court has heard the learned (senior) counsel for the parties at length and has also gone through the documents on record, particularly, the assertions made by them in the aforesaid pleadings.

9. Considering the nature of the pleadings as also the factum that the parties are all siblings in one or the other way connected with the partnership firm Ram Lal Kundan Lal Jewellers and since the Will(s) of Late Mr. Kundal Lal Sehgal are involved therein as well, in all likelihood, the outcome of one of the litigations will have a bearing on the other, which, certainly includes CS (Comm) No. 85 of 2024 pending before the learned Trial Court, transfer of which is sought.

10. Therefore, this Court is in complete agreement with the aforesaid submissions made by the learned senior counsel for the petitioner. It, thus, would be in the interest of justice as also the parties involved, if the



present petition is allowed and CS (Comm) No. 85 of 2024, pending before the District Judge, Commercial-03, Central District, Tis Hazari, Delhi is transferred to this Court so that it can also be taken up for consideration alongwith already pending litigations *inter se* the parties before this Court.

11. As such, CS (Comm) No. 85 of 2024, pending before the District Judge, Commercial-03, Central District, Tis Hazari, Delhi is transferred to this Court for being taken up along with the pending litigations *inter se* the parties before this Court, with a direction to commence the proceeding(s) thereof from the same stage which it was before the learned Trial Court.

12. The learned Principal District Judge, Central, Tis Hazari Courts is directed to send the entire record pertaining to CS (Comm) No. 85 of 2024 to this Court.

13. A copy of the present order be sent to the learned Principal District Judge, Central, Tis Hazari Courts, for information and compliance.

14. Accordingly, the present transfer petition is allowed and disposed of.

SAURABH BANERJEE, J

DECEMBER 23, 2025/NA