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

+ **TR.P.(C.) 26/2026**

JAGDISH CHANDER SHARMAPetitioner

Through: Mr. Aditya Bhargava, Advocate.
versus

RAJIV VERMA & ORS.Respondents

Through: Mr. Kamal Sharma, Advocate for
R-2.
Mr. Rakesh Kr. Saini, Advocate for
R-3.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

30.04.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 24 of the CPC seeks the following prayers: -

“a) Transfer the Civil Case titled “Jagdish Chander Sharma vs. Rajiv Verma and Ors”, bearing Case No. DJ 766/25, presently pending before the Court of Ld. Sh. Naresh Kumar Laka DJ-07, District Central, Tis Hazari Courts, Delhi to the District Court of Dwarka, Delhi;

b) Direct the trial court to expeditiously transmit the complete case file to the transferee court;

c) Pass such other order(s) as this Hon’ble Court may deem fit, just, and proper in the interest of justice.”

3. By way of the present petition, petitioner seeks transfer of civil suit, CS DJ 766/25, instituted by the petitioner, and presently pending before the Court



of learned Sh. Naresh Kumar Laka, District Judge-07, District Central, Tis Hazari Courts, Delhi, to District Court of Dwarka, Delhi.

4. The subject suit was initially filed for cancellation of sale deed and seeking permanent injunction in 2003 before the Court of learned Civil Judge-02, Central District, Tis Hazari Courts, against the present respondents/defendants. The said suit was dismissed by learned Civil Judge *vide* judgment dated 25.11.2019. The petitioner herein preferred an appeal, RCA DJ 184/19, against the said judgment before the learned District Judge which was disposed of *vide* judgment dated 01.03.2025 by observing as under: -

“13. In the light of aforesaid discussion, this court holds that the Ld. Trial Court had no pecuniary jurisdiction which was required to be valued as per the value of the sale deed i.e. Rs.8,83,200 whereas the Ld. Trial Court was having pecuniary jurisdiction upto Rs.3 lakhs only, Consequently, the finding of the Ld. Trial Court is set aside on the said issue as well as other issues because it is a settled position of law that when & court does not possess jurisdiction to decide a case, then all his findings are not being. In result, the impugned judgment and decree dated 25.11.2019 are set aside, There is no order as to costs, The present appeal is disposed of. The Trial Court record be sent back along with copy of this judgment. The parties are directed to appear before the Ld. Trial Court/Successor Court on 22.03.2025 at 02.00 PM. The Ld. Trial Court will pass order for return of the plaint or any other appropriate order if any party files application as per Order 7 Rule 10A CPC or any other applicable provision of law. Appeal file be consigned to record room.”

5. In pursuance of the aforesaid direction, the subject suit is presently pending before the learned District Judge-07, Central District, Tis Hazari Courts, wherein the issue with respect to the territorial jurisdiction of suit has



been raised.

6. Learned counsel for the petitioner submits that originally when the subject suit was filed the jurisdiction over the subject property was within the jurisdiction of Tis Hazari Courts but thereafter, the jurisdiction was bifurcated and presently the subject matter falls within the territorial jurisdiction of Dwarka District Courts. It is pointed out that respondent Nos.1 and 3 has been proceeded *ex-parte* in the subject suit in earlier proceedings before learned Appellate Court. It is further pointed out that respondent No.3 has since passed away, and his LRs have been brought on record.

7. In pursuance of the notice issued in the present petition *vide* order 16.02.2026, learned counsels enter appearance on behalf of respondent No.2 and respondent No.3 (all LRs) and submit that they have no objection, if the present petition is allowed and the subject suit is transferred to the Court of competent jurisdiction in Dwarka District Courts.

8. In view thereof, the present petition is disposed of with directions that suit, CS DJ 766/25, titled as, “Jagdish Chander Sharma v. Rajiv Verma & Ors.” instituted by the petitioner and pending before the Court of learned Sh. Naresh Kumar Laka, District Judge-07, Central District, Tis Hazari Courts, Delhi, is transferred to learned Principal District and Sessions Judge, Dwarka Courts, Delhi, who shall assign the same to the Court of competent jurisdiction.

9. Let the records of the subject suit be transferred to the concerned Transferee Court within a period of 10 days. Parties are directed to appear before the concerned Transferee Court accordingly. The subject suit shall proceed from the stage, it is being transferred.

10. Pending applications, if any, also stand disposed of accordingly.



11. Copy of the order be sent to the learned District Judge-07, Central District, Tis Hazari Courts, Delhi, as well as learned Principal District and Sessions Judge, Dwarka Courts, Delhi, for necessary information and compliance.
12. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 30, 2026/kr/ns