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

+ **TR.P.(C.) 76/2026**

MOHINDER KUMAR GANDHI

.....Petitioner

Through: Mr. Dheeraj Kumar and Ms. Neetu Singh, Advocates.

versus

M/S CBM INDUSTRIES PVT LTD

.....Respondent

Through: Ms. Himadri Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **07.04.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 22166/2026 (Exemption)

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

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3. The present petition under Section 24 read with Section 151 of the CPC seeks the following prayers: -

“a. To Club the aforementioned Civil case bearing no. CS no. 111 / 2024 titled as “ M / S CAPITAL PLASTIC HOUSE VS M/S CBM INDUSTRIES PVT. LTD .” pending before the court of CCJ cum Addl. Rent Controller , Central District, Tis Hazari Courts, Delhi and the case bearing no. CS (COMM)/1110/ 2024 titled as “ M / S CBM INDUSTRIES PVT. LTD.VS M / S CAPITAL PLASTIC HOUSE” pending before the court of District Judge (Commercial Court - 13) , Central District , Tis Hazari Courts , Delhi , before the one and the same court , in the interest of justice.

b. To pass any other / further order (s) that this Hon’ble Court deem fit and proper in view of the aforementioned facts and circumstances.



IT IS PRAYED ACCORDINGLY.”

4. By way of the present petition, the petitioner seeks transfer of suit, CS SCJ No.111/2024 titled as “M/s Capital Plastic House Through Its AR v. CBM Industries P Limited” pending in the Court of learned Senior Civil Judge-cum-RC, Central, Tis Hazari Courts, Delhi, to the Court of learned District Judge (Commercial Court)-13, Central, Tis Hazari Courts, Delhi, where suit, CS (COMM) 1110/2024, titled as “CBM Industries Pvt. Ltd. Through AR v. Mohinder Kumar Gandhi Prop. of Capital Plastic House” is pending.

5. Learned counsel for the petitioner submits that both the suits arise out of the same cause of action and it will be in the interest of justice as also to avoid multiplicity of proceedings that both of them are tried by a same Court.

6. Learned counsel for the respondent, who appears on an advance notice, fairly submits that she has no objection, in case the present petition is allowed and both the suits are jointly tried by a same Court.

7. In view of the aforesaid facts and circumstances of the present case, the present petition is allowed and disposed of with direction that suit, CS SCJ No.111/2024 titled as “M/s Capital Plastic House Through Its AR v. CBM Industries P Limited” pending in the Court of learned Senior Civil Judge-cum-RC, Central, Tis Hazari Courts, Delhi, be transferred to the Court of learned District Judge (Commercial Court)-13, Central, Tis Hazari Courts, Delhi, where suit, CS (COMM) 1110/2024, titled as “CBM Industries Pvt. Ltd. Through AR v. Mohinder Kumar Gandhi Prop. of Capital Plastic House” is pending.

8. Let the records of the aforesaid suit be transferred to the concerned Court within a period of 10 days. The said suit shall be proceeded from the



stage, it is being transferred and shall be tried along with suit, CS(COMM) 1110/2024. Parties are directed to appear before the concerned Court accordingly.

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

10. Copy of the order be sent to the learned Senior Civil Judge-cum-RC, Central, Tis Hazari Courts, Delhi, as well as learned District Judge (Commercial Court)-13, Central, Tis Hazari Courts, Delhi, for necessary information and compliance.

11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 7, 2026/nk/ns