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

+ **TR.P.(C.) 99/2025**

SONU JAISWAL

.....Petitioner

Through: **Mr. Hemant Malhotra, Advocate.**

versus

SANJAY KUMAR GOEL

.....Respondent

Through: **Mr. Rohan Sharma, Adv.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

04.02.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 24 of the Code of Civil Procedure, 1908 (for short, 'CPC'), seeks the following prayers: -

“a) transfer suit bearing no. CS No. 137 of 2024 titled as "Sh. Sanjay Kumar Goel Vs. Smt. Sonu Jaiswal" from the Court of Sh. Arjun Kirar, Ld. SCJ, North-West, Rohini Courts, Delhi to this Hon 'ble Court and be tried along with CS(OS) 221/2025; and/or

b) Pass any other relief, order or direction which this Hon 'ble Court deems fit and proper in the circumstances of the present case.”

3. Learned counsel for the petitioner submitted that the respondent-plaintiff had instituted a suit, **CS No.137/2024**, for permanent and mandatory injunction before the Court of learned Senior Civil Judge, North-West, District Courts Rohini, Delhi, in respect of property, C-565, Saraswati Vihar, Pitampura, Delhi, and the petitioner is defendant in the said suit.
4. It is further submitted that the petitioner herein had instituted a suit, **CS**



(OS) No.221/2025, for partition, rendition of accounts and permanent injunction against the respondent in this Court in Ordinary Original Civil Jurisdiction in respect of the aforesaid subject property. It is therefore submitted that it would be in the interest of justice if both the aforesaid suits in respect of same subject property are decided together by the same Court and no prejudice will be caused to the respondent.

5. *Per contra*, learned counsel for the respondent submitted that the petitioner by way of the present petition is trying to delay the outcome of suit instituted on behalf of the respondent before learned Senior Civil Judge, Rohini Courts, and the said suit is at the stage of framing of issues and the same has been delayed on account of adjournments taken by the petitioner. It is further submitted that the suit instituted by the petitioner in the original side of this Court has been filed in the year 2025 on account of change in pecuniary jurisdiction.

6. Heard learned counsels for the parties and perused the records.

7. In suit, **CS No.137/2024**, for permanent and mandatory injunction instituted before the Court of learned Senior Civil Judge, North-West, District Courts Rohini, Delhi, in respect of property, C-565, Saraswati Vihar, Pitampura, Delhi, on behalf of the respondent following reliefs have been sought: -

“a. Pass a decree of permanent and mandatory injunction in favour of the Plaintiff and against the defendant thereby restraining the defendant, her family members, agents, servant, legal heirs. attorneys, representatives, employees, friend associates etc. from entering into suit property and;

b. Pass a Decree of Permanent injunction in favour of the



Plaintiff and against the Defendant and her associates thereby restraining them from causing any hindrance and obstruction in the peaceful enjoyment and use of the suit property and;

c. Cost of the suit be also be awarded to the plaintiff against the defendant and

d. Such any other or further order, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case, also be passed in favour of the Plaintiff and against the Defendant.”

8. In suit, **CS (OS) No.221/2025**, for partition, rendition of accounts and permanent injunction filed by the petitioner in this Court in Ordinary Original Civil Jurisdiction, following reliefs have been sought: -

“PRAYER:

It is, therefore, most respectfully prayed that:-

i) A preliminary decree be passed in favour of the Plaintiff and against the Defendant for partition of the suit property i.e, C565, Saraswati Vihar,Pitampura, Delhi-110034, Delhi thereby giving 50% share of the suitproperty to thePlaintiff. The plan of the suit property is also being filed along with the plaint. Thereafter, the final decree for partition of the suit.property. the plan of which has been filed, be passed in favour of the Plaintiff giving her 50% share thereof to the Plaintiff.

ii) A decree for permanent injunction be passed in favour of the Plaintiff and against the Defendant thereby permanently restraining the Defendants, their heirs, representatives, agents. attorneys, servants, and assigns etc. from selling, alienating, transferring, disposing and/or parting with possession of the suit property i.e. C-565, Saraswati Vihar, Pitampura, Delhi 110034, as the Defendant have no right to do so when the Plaintiff is the co-owner of the suit property and has got 50% share in the suit property i.e. as shown in the site plan, be passed in favour of the Plaintiff and against the Defendant.



iii) A decree for rendition of accounts be passed in favour of the Plaintiff and against Defendant and the defendant directed to render the accounts in respect of moveable assets in the form of jewellery, cash, FDRs. savings in the bank accounts of late Shri Sudershan Kumar Goel and Ms. Anuja.

iv) Pass any such other order in favour of the Plaintiff and against the Defendants as deemed fit and proper to this Hon'ble Court in the facts and circumstances of the present case in the interest of justice.”

9. Petitioner is stated to be the married sister of the respondent. It is noted that both the aforesaid suits instituted by the respective parties are in respect of subject property, *i.e.*, C-565, Saraswati Vihar, Pitampura, Delhi. In order to avoid multiplicity of proceedings and contradictory judgments, therefore, it will be in the interest of justice for the effective and proper adjudication of both the suits, that the same are decided together by the same Court.

10. In these circumstances, the present petition is allowed.

11. Suit, **CS No.137/2024**, for permanent and mandatory injunction pending before the Court of learned Senior Civil Judge, North-West, District Courts Rohini, Delhi in respect of property, C-565, Saraswati Vihar, Pitampura, Delhi, is withdrawn and the same is transferred to this Court.

12. Let the records of the said suit be transferred to the Registry of this Court and tagged along with suit, **CS (OS) No.221/2025**, for joint proceeding of both the cases, within 30 days from today and the said suit be listed for hearing accordingly.

13. The present petition is disposed of along with all pending applications, if any.

14. Copy of the order be sent to the concerned learned Trial Court of CS No.137/2024, which is pending before learned Senior Civil Judge, North-



West, District Courts Rohini, Delhi, for necessary information and compliance.

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

AMIT SHARMA, J

FEBRUARY 4, 2026/ns