

T. P. (Civil) No. 63/2026
Ajay Kumar vs Ramesh Kumar

02.06.2026

Present: Sh. Ashok Kumar Patwa, Ld. Counsel for petitioner
along with petitioner.

Sh. Nityanand Khatua, Ld. Counsel for respondent

Vakalatnama filed on behalf of respondent. Be taken on record.

The prayer in the present application is made by the applicant Ajay Kumar to the effect that civil suit for injunction, titled, '***Ajay Kumar vs Ramesh Kumar***' bearing no. CS SCJ 2310/2023 pending before the court of Ms.Ayushi Saxena, Ld. Civil Judge-03, Central be transferred to the court of Ms.Shagun Sharma, Ld. District Judge-12, Central where another suit titled, '***Ajay Kumar vs Ramesh Kumar***' bearing no. CS DJ 85/2026 is pending.

In para 3 of the application, the applicant himself admitted that both the suits are based on distinct causes of action.

Para 3 is reproduced as under:-

3. It is submitted that the two proceedings are founded upon separate and independent causes of action, arising from distinct factual matrices and giving rise to different bundles of rights and obligations. Additionally, the pecuniary jurisdiction invoked in the respective suits is predicated upon

wholly different valuation parameters, reflecting the distinct nature of the reliefs sought in accordance with the governing provisions of the Court Fees and Suits Valuation laws.

The contentions raised by the applicant has been that vide order dated 09.04.2026, the court of Ms. Ayushi Saxena, Ld. Civil Judge noted that appropriate application would be moved before District Judge, Central District.

On behalf of respondent, Ld. Counsel Sh.Nityanand Khatua has raised the contention that both the suits cannot continue together in view of bar created under Section 10 CPC. Already an application has been moved in the suit pending before the court of Ms. Shagun Sharma, Ld. District Judge-12, Central.

In view of above facts and circumstances, I find no justification to order transfer of the case or consolidation of the cases. The courts where suits are pending are competent to pass judicial orders.

Transfer petition is accordingly dismissed.

File be consigned to the record room.

(Anju Bajaj Chandna)
Principal District & Sessions Judge (Central)
Delhi/02.06.2026