

IN THE COURT OF SH. UMED SINGH
PRINCIPAL DISTRICT & SESSIONS JUDGE
SOUTH – EAST DISTRICT, SAKET COURTS, NEW DELHI

CNR No.DLSE01-006142-2026
T. P. Crl. No.58/2026

Palaparthi Venkataramana Murthy

.....Petitioner

Versus

Ashok Thapar (HUF) & Anr.

.....Respondents

06.08.2026

Present : None.

ORDER

1. This order shall decide a transfer petition.

2. Counsel for petitioner argued that one Mr. Ashok Thapar (HUF) (respondent no.1) filed a complaint case against petitioner and others under Section 138 N. I. Act bearing CC No.41839/2013 which is pending in the court of Ms. Shubhangi Srivastava, Id. JMFC (NI Act)-05, South East District, Saket Courts, New Delhi. Mr. Ashok Thapar in the capacity as proprietor of Maharashtra Savings

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(respondent no.2) had also filed complaint against petitioner and others under Section 138 N. I. Act bearing CC No.41874/2013, which is presently pending in the court of Ms. Shruti Sharma-I, Id. JMFC (NI Act)-02, South East District, Saket Courts, New Delhi. He further submitted that initially both complaints were pending before same court and used to be listed on same day till 22.08.2022. But thereafter due to some administrative order, the cases came to be assigned to two different courts and are presently being tried separately. He further submitted that documentary as well as oral evidence in both matters is substantially identical. Witnesses including authorized representative are common in both cases. Separate trials may result in duplication of proceedings and conflicting findings.

3. Transfer petition is opposed by counsel for respondents on the ground that earlier also, petitioner has tried his luck by filing transfer petition but same was dismissed on 06.07.2023 and that fact has deliberately been concealed in this transfer petition.
4. Counsel for petitioner replied that earlier transfer petition was filed on some other ground and present one is based on other grounds. It has been filed on the ground that documentary as well as oral evidence in both matters is substantially identical. Witnesses including plaintiff through AR are common in both proceedings.

5. As per order dated 06.07.2023, vide which the earlier transfer petition was dismissed, the grounds were that parties were same, issues were same and both cases were at the same stage. The ground of identicalness of issues in both cases taken in first transfer petition corresponds to the ground taken in present case to the effect that evidence in both cases is identical because evidence is led to prove issues. If issues are same, same shall be the evidence. But that ground has already been taken care of by predecessor court vide order dated 06.07.2023.
6. Moreover, petitioner has no explanation why he concealed that his earlier transfer petition on same ground has already been dismissed.
7. In view of above discussion, this transfer petition is also dismissed. Copy of this order be sent to concerned courts.

File be consigned to the record room after due compliance.

*Announced in the open Court
today, on 06.08.2026*

**(UMED SINGH)
Principal District & Sessions Judge
South East, Saket Courts,
New Delhi**