

20.07.2026

**Present:- Ms. Purva Chaturvedi, Ld. Counsel for petitioner.**

Heard. Perused.

As per the report of Ahlmad, steps have not been taken by the petitioner for service of respondent. However, Ld. Counsel for petitioner submits that steps have been taken.

Perusal of the record shows that the summons sent to respondent through Speed Post for 07.05.2026 was received back with the report "Refused".

Since refusal is due service. Therefore, I presume that the respondent has duly been served. In these circumstance, I proceed to dispose of the present Transfer application / petition.

It is submitted by Ld. Counsel for the petitioner that petitioner has filed two complaint cases bearing CC NI Act No.8748/2024 and CC NI Act No.8633/2024 under Section 138 of The Negotiable Instruments Act, 1881 against the respondent but both these cases have been assigned to two different Courts. **Case CC NI Act No.8748/2024 is pending before the Court of Sh. Vinod Kumar, Ld. JMFC (NI Act) -04, South, Saket Courts, New Delhi** and **case CC NI Act No.8633/2024 is pending in the Court of Sh. Komal, Ld. JMFC (NI Act) -8, South, Saket Courts, New Delhi.** It is further submitted that the in both the complaint cases the dispute have arisen out the same transaction between the same parties. Therefore, both these cases be assigned to one Court in order to avoid conflicting orders and opinion.

Contd./-...

// 2 //

I have heard Ld. Counsel for the petitioner and perused the record.

Since in both the complaint cases parties are same and the dispute have arisen out of same transaction, it would be appropriate if both the complaint cases are tried by one Court in order to avoid conflicting orders and opinion. In the facts and circumstances, I hereby withdraw case bearing CC NI Act No.8748/2024 from the Court of Sh. Vinod Kumar, Ld. JMFC (NI Act) -04, South, Saket Courts, New Delhi and transfer the same to the Court of Sh. Komal, Ld. JMFC (NI Act) -8, South, Saket Courts, New Delhi, where the connected case bearing CC NI Act No.8633/2024 is pending adjudication.

Parties are directed to appear before the Ld. Transferee Court on 04.08.2026.

The Transfer application / petition is accordingly disposed of.

A copy of this order along with Trial Court records be sent back to the Ld. Trial Courts for information.

File be consigned to Record room.

(SANJEEV KUMAR AGGARWAL)  
Principal District & Sessions Judge (South)  
Saket Courts, New Delhi / 20.07.2026