

T. P. Civil 29/25

USHA GUPTA AND ANR. Vs. AMIT GUPTA AND ANR.

26.09.2025

Present : Ms. Aditi Sharma, Ld. Counsel for applicant with applicant.
Sh. Rajeev Chauhan and Shri Ankur Chawla, Ld. Counsels
for non-applicant.

Present transfer application has been filed on the ground that two different suits filed by either parties are pending in two different courts regarding the same subject property. It is informed that the applicant has filed a suit for permanent injunction titled 'Usha Gupta & Anr. Vs Amit Gupta & Ors.' bearing CS No. 286/2025 which is pending in the court of Ms. Deepali Srivastava, Ld. JSCC-cum-ASCJ cum Guardian Judge, Shahdara, KKD, Delhi. Another suit has been filed by the non-applicant seeking possession of the same suit property in possession of the applicant titled 'Amit Gupta & Anr. Vs Usha Gupta & Anr.' bearing CS No. 387/2025 which is pending in the court of Sh. Gaurav, Ld. District Judge-01, Shahdara District, KKD Court, Delhi.

It has been prayed that since parties in both the suits are same, the suit property is same, hence, the suit may be tried by same court.

The request has been vehemently opposed by the Ld. Counsel for non-applicant on the ground that the cause of action and relief in both suits is totally different. However, considering the fact that parties are the same, property is the same and in order to avoid any conflict in the opinion of the court and also to decide the suits expeditiously, it would be in the interest of justice that both the cases are heard and decided by the same Court.

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Accordingly, case bearing CS No. 286/2025 which is pending in the court of Ms. Deepali Srivastava, Ld. ASCJ Shahdara, KKD, Delhi is withdrawn from the said Court and is assigned to the Court of Sh. Gaurav, Ld. District Judge-01, Shahdara District, KKD Court, Delhi.

Application disposed off accordingly.

Parties are directed to appear before the Ld. Transferee Court on **08.10.2025 at 10.00 AM.**

Ahlmad of the Ld. Transferor Court is directed to send the case file immediately to the Ld. Transferee Court.

File be consigned to Record Room.

(SANJAY SHARMA-I)
Principal District & Sessions Judge
Shahdara, KKD Delhi/26.09.2025