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

+ **TR.P.(C.) 107/2026 & CM APPL. 35136/2026 (Stay)**

ANAND SHARMA

.....Petitioner

Through: Mr. Rajiv Nayar & Mr. Sandeep
Sharma, Sr. Advs. with Mr. Arman
Roop Sharma, Ms. Shimpy Arman
Sharma & Mr. Mohd. Aman Khan
Afghani, Advs.

versus

RAJENDRA KUMAR MOHATTA

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **21.05.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 35123/2026 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

TR.P.(C.) 107/2026 & CM APPL. 35136/2026 (Stay)

3. The present petition under Section 24 read with Section 151 of the CPC,
seeks the following prayers: -

“a. Transfer Civil Suit No. 274/2023 titled Rajendra Kumar Mohatta vs. Anand Sharma, presently pending before the Court of the Sh. Dharmender Rana, District Judge-01, Patiala House Courts, New Delhi, to another Court of competent jurisdiction subordinate to this Hon'ble Court, in the interest of justice, fairness, and impartial adjudication; and

b. stay the Civil Suit No. 274 of 2023 titled Rajendra Kumar



Mohatta vs. Anand Sharma, presently pending before the Court of the Ld. District Judge-01, Patiala House Courts, New Delhi till the pendency of instant transfer petition before the Hon'ble Court; and/or,

c. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

4. Learned Senior Counsel appearing on behalf of the petitioner points out that *vide* order dated 12.05.2026, a learned Single Judge of this Court in RFA 918/2025 had remanded the case to learned Trial Court for first deciding the application under Order VII Rule 11 CPC and then application under Order XII Rule 6 CPC.
5. It is the submission of the learned Senior Counsel appearing on behalf of the petitioner that on 18.05.2026, the learned District Judge had listed both the applications under Order VII Rule 11 CPC and Order XII Rule 6 CPC, without keeping in mind the mandate of the aforesaid order passed by learned Single Judge.
6. It is further submitted that on 18.05.2026, the Bar was on strike and the counsel for the petitioner was unable to appear before the learned Trial Court, but the learned Trial Court insisted upon the proxy counsel appearing on behalf of the petitioner to argue both the applications.
7. In these circumstances, it is submitted that *bona fide* apprehension regarding fair and objective adjudication by the learned District Judge has arisen.
8. On the petitioner taking necessary steps, issue notice to the respondent, through all permissible modes, returnable for the next date of hearing.
9. Re-notify on 27.07.2026.
10. In the meantime, let the *status quo* be maintained with regard to



proceedings pending before the learned District Judge.

11. Copy of the order be sent to District Judge-01, PHC, New Delhi, for necessary information and compliance.
12. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 21, 2026/nk/db