

ORIENTAL BANK OF COMMERCE

..... Petitioner

Through: Mr. Vipin Jai with Ms. Shaily, Advocates.

versus

M/S AGARWAL ENTERPRISES

..... Respondent

Through: Mr. T. Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

ORDER

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16.09.2009

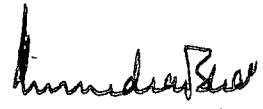
After some hearing, during the course of which it was submitted that the Suit is not maintainable, since the respondent- M/s Agarwal Enterprises has also sought similar relief in the Debt Recovery Tribunal through a counter claim, learned counsel for the Bank stated that in view of the averments made with regard to the valuation, the petition may be accepted. The respondent - M/s Agarwal Enterprises has sought transfer of the Suit No.268/2007 pending in the Court of Additional District Judge stating that his counter claim has been valued in excess of Rs.34 Lacs i.e. beyond the pecuniary jurisdiction of that Court. In the light of these submissions, Civil Suit No.268/2007 pending on the file of Shri S.K. Aggarwal, Additional District Judge, Tis Hazari Court is hereby transferred and directed to be brought on the file of this Court.

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

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Transfer Petition is allowed. Registry is directed to take steps to ensure that the record is brought and suitably registered as a fresh case.



S. RAVINDRA BHAT, J

SEPTEMBER 16, 2009

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