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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 1523/2014
 SANJAY ANAND Plaintiff
 Through : Mr. Achin Mittal, Adv.
 versus
 M/S DIVINE SOURCING & ORS Defendants
 Through : Mr. Subhash Chawla, Adv. for D-1 to
 D-5.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **11.12.2015**

I.A. No.10352/2015 (EXEMPTION)

Allowed, subject to all just exceptions.

Application is disposed of.

I.A. No.10353/2015 (Delay)

For the reasons explained in the application, delay is condoned.

Application is disposed of.

O.A. No.200/2015

Vide order dated 20th March, 2015, the Joint Registrar has closed the opportunity of the plaintiff to file the written statement to the counter claim of the defendants. Aggrieved by this order, plaintiff has preferred this chamber appeal.

It is contended that possession of property, where the documents were

lying, was taken by the Corporation Bank under the SARFAESI. The documents were removed by the plaintiff and kept at some other place. To respond to the counter claim, certain documents were necessary and it took time to search the relevant documents from the records, which were lying in a haphazard manner. This resulted delay in preparing the written statement to the counter claim.

For the reasons explained by plaintiff, I am of the view that the Joint Registrar ought to have condoned the delay in filing the written statement. Accordingly, order dated 20th March, 2016 is set aside and written statement to the counter claim is taken on record. Chamber appeal is disposed of.

CS(OS) No.1523/2014 and CC No.25/2015

It is submitted that present suit and counter claim are beyond the pecuniary jurisdiction of this Court, hence suit and counter claim be transferred to the District Judge in view of the notification no.27187/DHC/Orgl. dated 24.11.2015 under Section 4 of the Delhi High Court (Amendment) Act, 2015.

It is further submitted that suit and counter claim be transferred to the District Judge (South East District), Saket Courts Complex, New Delhi. Ordered accordingly. Parties shall appear before the District Judge (South

East District), Saket Courts Complex, New Delhi on 21st January, 2016.

Registry to transmit the file to the said court forthwith.

Date fixed in the matter, that is, 3rd February, 2016 is cancelled.

A.K. PATHAK, J.

DECEMBER 11, 2015/dk