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

+ **CS(OS) 635/2011**

GOODLUCK CAPITAL (P) LTD.

..... Plaintiff

Through: Mr. Ashish Pratap Singh, Advocate.
versus

BIHARI FORGING PVT. LTD.

..... Defendant

Through: Mr. Ramakant Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **22.01.2016**

I.A.No. 12561/2014 (U/o 9 R 13 CPC by applicant) & I.A.No. 21151/2015(U/s 151 CPC by plaintiff) & CS(OS) 635/2011

1. The subject suit is not a commercial dispute as envisaged under Section 2(1)(c)(i) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, and even though the suit is decreed, pending proceedings under Order 9 Rule 13 CPC will have to be decided by the concerned jurisdictional court having pecuniary jurisdiction.

2. Since this Court does not have pecuniary jurisdiction in view of the Office Order dated 24.11.2015 issued by Hon'ble the Chief Justice in exercise of powers conferred by Section 4 of the Delhi High Court

(Amendment) Act, 2015, whereby ordinary suits which are not commercial matters having pecuniary jurisdiction up to the value of rupees two crores cannot be tried by this Court and commercial matters up to the value of rupees one crore cannot be tried by this Court, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge (Shahdara), Karkardooma Courts, Delhi.

3. Let parties appear before the District & Sessions Judge (Shahdara), Karkardooma Courts, Delhi on 10th March, 2016. Suit file be made available to the District & Sessions Judge (Shahdara), Karkardooma Courts, Delhi, on the date fixed.

VALMIKI J. MEHTA, J

JANUARY 22, 2016

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