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

+ **CS(OS) 874/2011**

SHAKUNTALA GUPTA Plaintiff
Through Mr. Sanjiv Bahl and Mr. Udit
Gupta, Advocates

versus

THE BANK OF RAJASTHAN LIMITED & ANR Defendants
Through Mr. Abhinay and Ms. Aakanksha
Nehra, Advocates for D-2

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **01.03.2016**

1. Though learned counsel for the plaintiff argues that the subject suit is a commercial dispute falling under Section 2(1)(c)(vii) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, however, I cannot agree with these assertions, inasmuch as, there is no agreement relating to an immovable property which is sought to be enforced in the present suit. This suit is a suit for possession, recovery of moneys and permanent injunction which would be under Section 9 CPC read with Section 5 of the Specific Relief Act.

2. Since an Office Order dated 24.11.2015 has been 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, accordingly, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge, Patiala House Courts, New Delhi.

3. Let parties appear before the District & Sessions Judge, Patiala House Courts, New Delhi on 6th April, 2016. Suit file be made available to the District & Sessions Judge, Patiala House Courts, New Delhi, on the date fixed.

VALMIKI J. MEHTA, J

MARCH 01, 2016

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