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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) No.1338/2005**
M/S METSO MINERALS SINGAPORE PTE LTD. Plaintiff
Through: Mr. Amandeep Singh Bhullar, Adv.
versus
M/S VILLAYATI RAM MITTAL & ANR Defendants
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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21.07.2016

1. The file has been put up in accordance with the order dated 25th May, 2016 of the Registrar (Original).
2. The counsel for the plaintiff states that the Court of District Judge having territorial jurisdiction to entertain the suit is the Court of the District Judge (South-East), Saket Courts, New Delhi and the suit be transferred to that Court.
3. The suit is now transferred to the Court of District Judge (South-East), Saket Courts, New Delhi. The parties to appear before the District Judge/Additional District Judge (South-East), Saket Courts, New Delhi on 22nd August, 2016.
4. This Court is everyday receiving several files which though in accordance with the Office Order dated 24th November, 2015 of Hon'ble the Chief Justice in exercise of powers under Section 4 of the Delhi High Court (Amendment) Act, 2015 have been transferred to the Court of subordinate jurisdiction but to the wrong District.

5. The District Judge/Additional District Judge to whom the suit is so transferred, after finding the suit to be not within his/her territorial jurisdiction, orders the return of the file to this Court and whereafter this Court has to again transfer the suit to the subordinate Court of appropriate territorial jurisdiction.
6. Needless to state, the same causes delay.
7. A copy of this order be placed before Hon'ble the Chief Justice to consider whether the suits transferred to the subordinate Courts of wrong territorial jurisdiction can be directly transferred to the Court of appropriate territorial jurisdiction.
8. Most of such case files which are coming before this Bench pertain to the District (South) and District (South-East), both of which are at Saket Courts, New Delhi and it is felt that instead of sending the suit file back to this Court for transfer to the Court of appropriate territorial jurisdiction, the suits should be permitted to be transferred within different Districts *inter se*, especially when there is no dispute to the territorial jurisdiction.

RAJIV SAHAI ENDLAW, J

JULY 21, 2016
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