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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.1203/2006 & IA No.6599/2006 (under Order XXXVIII
Rule 5 of the CPC).

M/S ARINITS SALES PVT LTD Plaintiff

Through: Ms. Richa Dhawan, Adv.

versus

M/S ROCKLITE RESINS & CHEMICALS PVT LTD
& OTHERS Defendants

Through: Counsel for the defendant
(appearance not given).

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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28.09.2016

1. This suit was filed under Order XXXVII of the Code of Civil Procedure, 1908 (CPC) for recovery of principal amount of Rs.20,37,684/- and Rs.12,94,651 as interest till the date of institution of the suit i.e. for total of Rs.33,32,335/-.

2. Vide order dated 22nd April, 2008 leave to defend was granted subject to deposit of Rs.20,37,684/- in this Court. FAO(OS) No.305/2008 preferred thereagainst was dismissed.

3. The defendants have preferred Special Leave Petition (SLP) No.10370/2010 to the Supreme Court and vide order therein the proceedings in this suit were stayed.

4. The suit as per 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 is liable to be transferred to the subordinate courts.

5. Pendency of the SLP aforesaid does not come in the way of the said transfer.
6. The address of the plaintiff is of Barakhamba Road, New Delhi and the address of the defendants is either of Shahbad Daulatpur, Delhi or of Pitampura, Delhi or of outside Delhi.
7. The counsel for the defendants states that there is no office of the defendants at Shahbad Daulatpur, Delhi.
8. The counsels for the parties state that the cause of action had accrued at Barakhamba Road, New Delhi and the suit be transferred to the subordinate courts having jurisdiction over the Barakhamba Road area.
9. Accordingly, the suit is transferred to the Court of District Judge, New Delhi Patiala House Courts, New Delhi.
10. The parties to appear before the Additional District Judge/District Judge, New Delhi, Patiala House Courts, New Delhi on 21st November, 2016.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 28, 2016

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