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

+ **CS(OS) 954/2014**

ANKIT KALRA

..... Plaintiff

Through Mr. Abhinav Ramakrishna and Mr.
Mirza Kayesh Begg, Advocates

versus

HUNNY GUPTA

..... Defendant

Through Counsel

CORAM:

**SH. ANIL KUMAR SISODIA (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **12.07.2016**

File has been received from the Office of District Judge (South) Saket Courts. I have perused the order dated 17.05.2016 wherein it has been stated that neither the subject matter of the suit lies nor the defendant is residing within the jurisdiction of South District and the suit has been sent back for allocation to the correct court having jurisdiction over the subject matter of the suit.

Ld. counsel for plaintiff has submitted that the suit was rightly transferred to the South District as the cheque issued by the defendant was presented by the plaintiff at ICICI Bank, Safdarjung Enclave Branch and part of cause of action has arisen within the jurisdiction of the South District.

I have perused the record.

Perusal of the record shows that defendant is resident of Ghaziabad, U.P. and the matter cannot be transferred to Ghaziabad by

this Court. Section 20 of CPC provides for jurisdiction of the courts in cases other than covered by Section 15 to 19 of the CPC. The present suit is not covered u/S 15 to 19 of the CPC and is Governed by Section 20 of the CPC. Clause (c) of Section 20 provides that the court within whom jurisdiction cause of action, wholly or in part, arises has the jurisdiction to try the suit. Since, in the present case, a part of cause of action has arisen within the jurisdiction of South District as the cheque issued by defendant was presented by the plaintiff in his bank situated at Safdarjung Enclave, the courts of South District have got jurisdiction to try the present suit.

Hence, the Registry is directed to send the complete record of this case to the **Ld. District Judge (South), Saket Courts, Delhi** for **16th August, 2016**. Parties shall appear before the Ld. District Judge (South), Saket Courts, New Delhi on the said date.

ANIL KUMAR SISODIA (DHJS)
JOINT REGISTRAR (JUDICIAL)

JULY 12, 2016
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