

\$~30

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

+ **CS(OS) 714/2009**

SHRI MAHARAJ I.S. WAHI

..... Plaintiff

Through: Mr. Akshay Makhija, Advocate with
Ms. Sanjugeeta Moktan, Advocate
and Ms. Mahima Bahl, Advocate.

versus

SMT. RENUKA WAHI

..... Defendant

Through: Mr. Vikas Tiwari, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **02.02.2016**

I.A. No.447/2016 (exemption)

1. Exemption allowed subject to just exceptions.

I.A. stands disposed of.

O.A. No.11/2016

2. Counsel for the defendant is not justified in arguing that this suit will have to be continued in this Court inasmuch as merely because plaintiff has filed Court fee in valuation of approximately Rs.6 crores, that would not automatically confer jurisdiction inasmuch as an issue has already

CS(OS) No.714/2009

page 1 of 2

been framed by the Division Bench of this Court and which is left open to be decided at the stage of final arguments with respect to valuation for the purpose of Court fee and hence the valuation for the purpose of pecuniary jurisdiction. The order of the Division Bench is dated 21.2.2013 in FAO(OS) No.613/2009.

3. O.A. is accordingly disposed of holding that the order of the Joint Registrar dated 14.12.2015 is correct and this suit has to be transferred.

VALMIKI J. MEHTA, J

FEBRUARY 02, 2016

Ne