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

+ CS(COMM) 164/2016

HDFC BANK LTD. Plaintiff

Through: Mr. Rishab Raj Jain, Advocate.

versus

KARIK MARBLES & GRANITE & ORS. Defendants

Through: Mr. Gaurav Gupta, Adv. for D-4 & 6.
Mr. M.Ghosh, Adv. for Mr. Sandeep
Bajaj, Adv. for D-9.
Mr. Amit Mahajan, Adv. for D-11.
Mr. Anil Yadav, Adv. for D-13.

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HDFC BANK LTD. Plaintiff

Through: Mr. Rishab Raj Jain, Advocate.

versus

RAJ METALS TRADERS & ORS. Defendants

Through: Mr. Prasoon Kr. Adv. for D-2.
Mr. Pradeep Verma, Adv. for D-5.
Mr. Amit Yadav, Adv. for D-6.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **28.03.2016**

1. Though the Joint Registrar has recorded that these are commercial disputes, the Joint Registrar has not referred to which is the Sub-Section of Section 2(1)(c) of the Commercial Courts, Commercial

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Division and Commercial Appellate Division of High Courts Act, 2015 as per which the subject matter of the present suits will be commercial disputes. Though present suits are filed by the plaintiff-Bank, it is seen that commercial disputes under Section 2(1)(c)(i) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 pertain to ordinary transactions of bankers whereas the present suits do not pertain to ordinary transactions of bankers but pertain to fraudulent withdrawal of monies as per the causes of action stated in the complaints.

2. 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, these suits are transferred for decision to the jurisdictional Court under the District & Sessions Judge (Central), Tis Hazari Courts, Delhi.

3. Let parties appear before the District & Sessions Judge (Central), Tis Hazari Courts, Delhi on 6th May, 2016. Suit files be made available to the District & Sessions Judge (Central), Tis Hazari Courts, Delhi on the date fixed. The District and Sessions Judge is requested to allocate both the suit files before the same transferee court.

VALMIKI J. MEHTA, J

MARCH 28, 2016

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