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

+ **CS(COMM) 165/2016**

HDFC BANK LTD. Plaintiff

Through: **Mr. Rishab Raj Jain, Advocate.**

versus

ADARSH TRADING COMPANY & ANR.

..... Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **28.03.2016**

1. Though the Joint Registrar has recorded that this is a commercial dispute but the Joint Registrar has not referred to which is the Sub-Section of Section 2(1)(c) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 as per which the subject matter of the present suit will be commercial dispute. Though present suit is filed by the plaintiff-Bank, it is seen that commercial dispute under Section 2(1)(c)(i) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 pertains to ordinary transactions of bankers whereas the present suit does not pertain to

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ordinary transactions of bankers but pertains to fraudulent withdrawal of monies as per the causes of action stated in the plaint.

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, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge (North West), Rohini Courts, Delhi.

3. Let parties appear before the District & Sessions Judge (North West), Rohini Courts, Delhi on 6th May, 2016. Suit file be made available to the District & Sessions Judge (North West), Rohini Courts, Delhi on the date fixed.

VALMIKI J. MEHTA, J

MARCH 28, 2016

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