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

+ **CS(OS) 1541/2012**

RAJPAL SINGH & ORS

..... Plaintiffs

Through: Mr. A.K. Singla, Senior Advocate
with Mr. Abhimanyu Singh Khatri,
Advocate.

versus

M/S INDRAPRASTHA BUILDERS PVT LTD

..... Defendant

Through: Mr. Ajay Kohli, Advocate with Mr.
Bhumika Kapoor, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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08.03.2016

**I.A. No.2057/2016 (under Sections 7 & 15 of Commercial Courts,
Commercial Division and Commercial Appellate Division of High
Courts Act, 2015)**

1. Learned counsel for the plaintiff argues that the suit is a commercial dispute falling under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 by application of Section 2(1)(c)(vii), however, I do not agree because the plaintiffs/landlords are not enforcing an agreement to sell of an immovable property but enforcing their legal rights to take back possession of the suit property as per Section 5 of the Specific Relief Act, 1963 read with Section

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9 of Code of Civil Procedure, 1908 (CPC).

I.A. is accordingly dismissed.

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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 (Central) Tis Hazari Courts, Delhi.

3. Let parties appear before the District & Sessions Judge (Central), Tis Hazari Courts, Delhi on 19th April, 2016. Suit file be made available to the District & Sessions Judge (Central), Tis Hazari Courts, Delhi, on the date fixed.

VALMIKI J. MEHTA, J

MARCH 08, 2016

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