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

+ CS(OS) 2284/2014

M/S CHINTO CREATIONS & ANR Plaintiffs

Through: Mr. J.K. Bhola, Adv.

versus

M/S V & S INTERNATIONAL PVT LTD & ORS Defendants

Through: Mr. Kanwal Chaudhary, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **26.10.2016**

The learned counsel on both sides now fairly agree and jointly submit that the dispute which is the subject matter of the present civil suit does not fall in any of the clauses as per the definition clause of the expression “commercial dispute” prescribed in Section 2 (1) (c) of The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015. They also further jointly submit that the territorial jurisdiction, post the change of the pecuniary jurisdiction, would vest in the district courts of South-West district of Dwarka.

In these circumstances, the view on the basis of which the Additional District Judge 03, Dwarka as recorded in his order dated 8.9.2016, cannot be upheld. The case has already been transferred and it shall return to the file of the district courts. The case shall be taken up by the District judge, South West at Dwarka on 16th November, 2016 when the parties may appear before the said forum. The parties inform that there is another civil suit pending involving the same set of parties in another court of Additional District Judge at Dwarka. The learned District Judge shall confirm this fact and if

possible, in her discretion, allocate the same to the district court where other suit is pending.

R.K.GAUBA, J

OCTOBER 26, 2016

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