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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 2094/2011

SAROJ KUMAR JHA

..... Plaintiff

Through

Mr. Rupesh Gupta and Mr. Nitish
Sharma, Advocates

versus

FOX MANDAL AND CO. AND ORS

..... Defendants

Through

None

CORAM:

SH. RAJESH KUMAR SINGH (DHJS), JOINT REGISTRAR

ORDER

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17.03.2016

IA No. 3338/2016 (under Section 151 CPC filed by plaintiff)

IA No. 3339/2016 (under Section 151 CPC filed by plaintiff)

IA No. 3338/2016 is for exemption from filing certified copy of order dated 03.03.2016. The IA is allowed.

In IA No. 3339/2016, it is stated that vide order dated 03.03.2016, Hon'ble Court directed the parties to appear before learned District & Sessions Judge, New Delhi, Patiala House Courts on 08.04.2016 and also directed that the suit file be sent to the court of learned District & Sessions Judge, New Delhi, Patiala House Courts. It is further stated that office of defendant No.1 is situated at Rouse Avenue which falls under Central District. Learned counsel for plaintiff submits that this fact could not be brought to the notice of the Hon'ble Court on 03.03.2016 and they were under the impression that Rouse Avenue falls under New Delhi District.

Copy of the IA was supplied in advance to learned counsel for all defendants including defendants No. 1, 2, 4 and 9. On the last date, learned counsel for defendants No.3, 5 and 7 appeared and submitted that he has no objection to the IA. Learned counsel for plaintiff informed learned counsel for defendants No.1, 2, 4 and 9 about the IA being listed before this court but none appeared on behalf of these defendants on the last date. Today also none is present on behalf of defendants No.1, 2, 4 and 9. Learned counsel for plaintiff submits that he had informed learned counsel for these defendants by sms also for today. Otherwise also, they should have appeared as the matter is shown in the cause list. There is no need to further adjourn the matter for appearance of defendants No.1, 2, 4 and 9 for defendants 6&8 who are not appearing. It is rightly submitted by learned counsel for plaintiff that the suit falls within the territorial jurisdiction of Central District. The IA is allowed.

Registry is directed to send the file of the suit to the court of learned District Judge, Central District, Tis Hazari Courts for 8th April, 2016.

Parties are also directed to appear before learned District Judge, Central District, Tis Hazari Courts.

**RAJESH KUMAR SINGH (DHJS)
JOINT REGISTRAR**

MARCH 17, 2016
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