

\$~9

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

+ **CS(OS) 1593/2009**

**MITHABHAI JIVABHAI & OTHERS**

..... Plaintiffs

Through: Mr. Arun K.Sharma, Ms. Bandana  
Grover and Mr. Sanjeev Narula,  
Advts.

versus

**MRS. JYOTI R TIWANI & OTHERS E+**

..... Defendants

Through: Mr. Kunal Bamri, Adv. for D-1 to 3.  
Mr. Swastik Singh, Adv. for applicant  
in I.A 21476/2015

**CORAM:**

**HON'BLE MR. JUSTICE VALMIKI J. MEHTA**

**ORDER**

% **16.02.2016**

**O.A.No.298/2014(against order dated 22.11.2014)**

1. This O.A impugns the order of the Joint Registrar dated 22.11.2014 imposing costs of Rs.10,000/- on the defendant no.1 to 3 on the ground that defendant nos. 1 to 3 are causing delay in recording of evidence. In discretionary orders such as the present of imposing costs, no appeal lies and since no substantial rights are decided, and adjournment is caused by defendant nos. 1 to 3, in my opinion, costs have been rightly imposed.

Dismissed.

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, subject to the above, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge (South), Saket Courts, New Delhi.

3. Let parties appear before the District & Sessions Judge (South), Saket Courts, New Delhi on 14<sup>th</sup> March, 2016. Suit file be made available to the District & Sessions Judge (South), Saket Courts, New Delhi on the date fixed.

**VALMIKI J. MEHTA, J**

**FEBRUARY 16, 2016**

ib