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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 2202/2010

OM PRAKASH GUPTA

..... Plaintiff

Through: None

versus

RADHEY SHYAM AND ORS

..... Defendants

Through: Mr.Anand Yadav, Adv. for D7-8.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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27.04.2016

IA No.4359/2016 (u/S 151 CPC filed by defendant nos.7 & 8)

1. The contention of learned counsel for defendant nos.7 and 8 is misconceived that the suit is a commercial matter falling under Section 2(i)(c)(vii) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 and that the suit agreement is for immovable property used extensively in trade and commerce inasmuch as the subject suit is a suit for partition, declaration, injunction thus seeking partition of the suit property including cancellation of sale deeds. Therefore, subject suit is not a commercial suit falling under Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015. The suit will accordingly stand transferred in terms of the order already passed on 25.02.2016.

2. IA stands disposed of.

VALMIKI J. MEHTA, J

APRIL 27, 2016

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