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

+ CM(M) 622/2016, CM APPL. 23713/2016

GUJARAT STATE PETRONET LIMITED (GSPL) Petitioner

Through: Mr. Sanjeev Sindhvani, Sr. Adv. with
Mr. Trideep Pais, Mr. Aspi Kapadia,
Ms. Vrinda Bhandari, Ms. Sumiti,
Ms. Preksha Dugar, Advs.

versus

A.K. VIJAY KUMAR & ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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11.07.2016

Learned senior counsel appearing for the petitioner has impugned the order dated 30th May, 2016 by which an application filed under Order VI Rule 17 CPC stated to have been filed on 10th May, 2016 in compliance of the directions of the Court dated 8th March, 2016 was disposed of. Learned senior counsel submits that no notice of this application was issued on the petitioner nor was this application ever argued upon. He relies on judgment of this High Court in the case of *Hansraj Kalra vs. Kishan Lal Kalra* 1976 ILR (2) 745 and *Mahesh Gupta vs. Ranjit Singh & Ors.* AIR 2010 Delhi 4 to contend that the plaint as originally valued in the prayer clause was Rs. 2.18 crores and hence the trial court did not have jurisdiction to pass the impugned order.

A perusal of the impugned order shows that this contention has not been dealt with by the trial court in the impugned order. It would be appropriate that the petitioners file an appropriate review petition before the concerned court bringing on record his contentions. Accordingly, the present petition is disposed of with liberty to the petitioner to file an appropriate review petition before the trial court against order dated 30th May, 2016. In the eventuality of such a petition being filed, the same shall be dealt with by the learned trial court in accordance with law. In case the petitioner is aggrieved by the order of the trial court, in such eventuality it is at liberty to file appropriate petition. The review petition may be filed within one week from today.

JAYANT NATH, J

JULY 11, 2016/radhika