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

+ CS(OS) 3267/2011

VIKAS TYAGI

..... Plaintiff

Through: None
versus

ANIL LAWRENCE SINGH & ORS

..... Defendants

Through: Mr.Vinit Trehan, Adv. for D-1.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.03.2016**

1. The subject suit is filed by the plaintiff claiming reliefs of declaration, damages etc. seeking enforcement of the terms of the memorandum of understanding (MOU) Deed of Take Over dated 01.06.2011.
2. The case set up in the plaint is that the plaintiff sold his business to the defendant No.1 in terms of the document dated 01.06.2011.
3. A reading of various sub-sections of Section 2(i)(c) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 shows that the present suit does not fall under any of the sub-sections of Section 2(i)(c) of the Act, therefore, the suit is liable to be transferred to the concerned jurisdictional Court.
4. 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, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge, (South-West) Dwarka, New Delhi.

5. Let parties appear before the District & Sessions Judge Dwarka Courts (South-West), New Delhi on 3rd May, 2016. Suit file be made available to the District & Sessions Judge Dwarka Courts (South-West), New Delhi on the date fixed.

VALMIKI J. MEHTA, J

MARCH 21, 2016/neelam