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

+ **CS(OS) 550/2014**

M/S HINDUSTAN COCA-COLA BEVERAGES PVT LTD

..... Plaintiff

Through : Mr. Rajiv Tyagi, Advocate

versus

M/S NIRULAS CORNER HOUSE PVT LTD

..... Defendant

Through : Mr. Mudit Sharma, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% 15.07.2016

1. The suit is listed before the Court for framing of issues.
2. The Joint Registrar has recorded in the order dated 21.1.2016 that the plaintiff has instituted the present suit for recovery of Rs.55,80,700/- against the defendant and along with its written statement, the defendant has filed a counter claim seeking recovery of a sum of Rs.79,44,816/- from the plaintiff. In other words, the pecuniary value of dispute raised by the plaintiff in the suit is below Rs.1.00 crore, just as the value of the counter claim filed by the defendant is below Rs.1.00 crore. As a result, the suit has to be transferred to the District Court for further proceedings.
3. Both the parties state that the case file may be transferred to the court of the District and Sessions Judge (New Delhi District), Patiala House Courts.

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4. Accordingly, in view of the Notification No.27187/DHC/Orgl. dated 24.11.2015, issued under Section 4 of the Delhi High Court (Amendment) Act, 2015 (Act 23 of 2015), at the request of the counsels for the parties, the present suit is transferred to the Court of the District Judge (New Delhi District), Patiala House Courts for further proceedings before the competent court on 2nd September, 2016.

5. It is made clear that as both sides are duly represented today, no fresh notice for appearance shall be issued and the parties shall ensure their presence before the concerned Court on the aforesaid date.

HIMA KOHLI, J

JULY 15, 2016

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