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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.1905/2015 & IA No.7974/2016 (u/O 37 R-3(6) CPC).
JAIN TRADING COMPANY Plaintiff
Through: Ms. Suman Arora, Adv.
Versus
GREAT INDIAN NAUTANKI CO. P. LTD. & ANR Defendants
Through: Mr. Vinay Shukla, Adv. for D-1&2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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25.07.2016

1. This is a suit for recovery of Rs.32,47,511/-.
2. Though it was transferred to the District Judge (South-East) but has been sent back being a commercial suit.
3. Only commercial suits the specified value whereof is more than Rs.1 crore are to be tried by the commercial division of this Court and not all commercial suits. The exception in the first proviso of Section 7 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 is only applicable to suits stipulated by any Act to lie in a Court not inferior to the District Court and the claim in the present suit does not fall in the said category. The District and Sessions Judge (South-East) has thus wrongly sent back the file of this Court.
4. The suit is again transferred to the Court of District Judge (South-East), Saket Courts, New Delhi.
5. The counsel for the plaintiff informs that B.K. Dutt Colony, where the plaintiff has its place of business and on the basis whereof territorial

jurisdiction, has been invoked is within the jurisdiction of District Judge (South-East).

6. Accordingly, the suit is transferred to the Court of District Judge (South-East), Saket Courts, New Delhi.

7. The parties to appear before the District Judge/Additional District Judge (South-East), Saket Courts, New Delhi on 23rd September, 2016.

RAJIV SAHAI ENDLAW, J.

JULY 25, 2016

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