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

+ RFA 660/2016

BIMLA DEVI

..... Appellant

Through Mr.H.L. Nimbar, Adv. with Dr.K.S.
Bhati, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondents

Through None.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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30.05.2017

This appeal was heard on 24th May, 2017 and today it is listed for directions. This is an appeal filed against the impugned judgment and decree dated 23rd December, 2014 passed by the Court of Senior Civil Judge-cum-Rent Controller, New Delhi, by which the suit for declaration was dismissed. Under Section 39 of the Punjab Courts Act, 1918 it is provided that from a decree or order of a Subordinate Judge, appeal shall lie to the District Judge where the decree or order is made after the commencement of the Delhi High Court (Amendment) Act, 2003 and the value of the original suit, in which the decree or order is made does not exceed Rs.3 lakhs. Vide notification dated 21.07.2013 issued by the High Court of Delhi, the Subordinate Court shall try cases where the jurisdictional value is less than Rs.3 lakhs

Admittedly, the jurisdiction of the Civil Judge, where he is Senior

Civil Judge or Civil Judge, Junior Division, is to adjudicate the matter where the value is upto Rs.3 lac.

At this stage, learned counsel for the appellant submits that he may be permitted to withdraw the appeal with liberty to file the same before the Competent Court of jurisdiction i.e. District Judge, New Delhi.

Accordingly, the appeal is dismissed as withdrawn with liberty to file the same before the Competent Court of jurisdiction.

VINOD GOEL, J.

MAY 30, 2017/jitender