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

+ **CS(COMM) 1437/2016**

RADICO KHAITAN LTD

..... Plaintiff

Through: Ms. Ishani Chandra, Mr. Sagar
Chandra, Mr. Ankit Rastogi and Ms.
Shubhie Wahi, Advs.

versus

M/S VISHNU LAXMI CO-OP GRAPE DISTILLERY LTD..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **05.07.2019**

I.A. 7730/2019 (application under Section 39 (1) CPC)

1. By way of this application, the Decree Holder prays for transfer of the decree dated 12th December, 2017 for execution to the court of competent jurisdiction in Solapur District Court or Commercial Court, Solapur District in District Solapur.
2. Learned counsel for the Decree Holder submits that it has to recover damages of Rs. 10 lacs and the litigation costs awarded in the decree. The Judgment Debtor has its factory at B-1, M.I.D.C., Akkalkot Road, Opp- Nilkanth Road Solapur (M.S.), Maharashtra – 413006 and resides and personally works for gains within the local limits of jurisdiction of District Solapur and that the Judgment Debtor does not have any property within the jurisdiction of this court that can be proceeded against for the recovery of the decretal amount.
3. Having regard to the averments made in the present application, prayer is

allowed. Decree dated 12th December, 2017 is ordered to be transferred to the Court of competent jurisdiction in Solapur District for its execution.

4. Registry is directed to send the certified copy of Decree along with relevant documents to the concerned Court. The necessary documents in this regard including the Certificate of Transfer and Certificate of Non-satisfaction of Decree be issued and handed over to the counsel for the decree-holder, within one month of today.

5. The application is disposed of.

SANJEEV NARULA, J

JULY 05, 2019

Pallavi