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

+ TR.P.(C.) 163/2016

M/S ABHIPRA CAPITAL LTD

..... Petitioner

Through: Mr.Shekhar Gupta, Advocate.

versus

MRS REENA GUPTA & ORS

..... Respondents

Through: Mr.Ajit Warriar, Mr.Aashish Gupta &
Mr.Angad Kochhar, Advocates for
R-1 & R-2.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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28.04.2017

TR.P.(C.) 163/2016

1. The present petition has been filed by the petitioner with the prayer that Civil Suit No.292/2016 titled as '*Abhipra Capital Ltd. vs. Reena Gupta & Ors.*' pending in the Court of Mr.Surinder S.Rathi, learned ADJ-03, Patiala House Court, New Delhi may be transferred to commercial division of this Court.

2. Perusal of the record reveals that earlier this civil suit was filed in this Court and registered as CS(OS) no.618/2008. Vide order dated 18th January, 2016 the civil suit was transferred to the jurisdictional Court under District & Sessions Judge, Patiala House Courts, New Delhi for the following reasons:-

1. Since this Court does not have pecuniary jurisdiction in view of the Office Order dated 24.11.2015 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, this suit is transferred for decision to the jurisdictional Court under the District & Sessions Judge, Patiala House Courts, New Delhi.

2. Let parties appear before the District & Sessions Judge, Patiala House Courts, New Delhi on 4th March, 2016. Suit file be made available to the District & Sessions Judge, Patiala House Courts, New Delhi, on the date fixed.'

3. After some arguments, learned counsel for the petitioner seeks leave to withdraw the instant petition with liberty to seek review of the order dated 18th January, 2016 whereby the civil suit was transferred to the District & Sessions Judge, Patiala House Courts, New Delhi.

4. Accordingly, the petition is dismissed as withdrawn granting the liberty as prayed for.

I.A. No.11611/2016 (stay)

Dismissed as infructuous.

PRATIBHA RANI, J.

APRIL 28, 2017

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