

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION****COMMERCIAL ARBITRATION PETITION NO.37 OF 2018**

1.Kantilal Maganlal Rathod & Anr. ...Petitioners
vs
HDFC Bank Ltd. ...Respondent

Mr.Raj Patel with Rishav Jain I/b. Siddharth Konakia, for the Petitioners.

CORAM : G.S.KULKARNI, J.

DATED: 27th November,2018

P.C.:-

1. In view of the reply affidavit as filed on behalf of the respondent raising an objection to the jurisdiction of this Court to entertain the present petition in this Court, it is submitted by the learned Counsel for the petitioner that in view of clause 7.8 of the agreement between the parties and as per the law laid down in "*Indus Mobile Distribution Pvt. Ltd. vs. Datawind Innovations Pvt.Ltd*"¹, the jurisdiction to file the present petition would lie before the Principal Civil Court at Pune. He accordingly, seeks transfer of this petition to the District Court at Pune.

2. It is thus appropriate that the proceedings of this petition are transferred to the file of the Court of the learned District Judge at Pune. Office to comply the necessary formalities.

¹ AIR 2017 SC 2015

3. On being transferred, the office is directed to make appropriate entry of transfer and deletion of the present proceedings from the file of this Court.

(G.S.KULKARNI, J.)