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

+ **TR.P.(C.) 40/2018 & CM No. 8454/2018**

INDIAN OIL CORPORATION LTD & ANR Petitioners

Through: Mr. V.N. Koura, Ms. Mona Aneja &
Mr. Abhinav Tandon, Advs.

versus

PRASHANTH PROJECT (P) LTD Respondent

Through: Ms. Nayantara A. Pande, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **06.03.2018**

The respondent has appeared through Ms. Nayantara A. Pande, Advocate and accepts notice. Two suits one being CS (OS) 2642/2010 pending on the original side of this Court and the other now registered as CS No. 9087/2016 pending in the Court of Mr. Ajay Gulati, Additional District Judge (South) at Saket Courts Complex were instituted by the respondent. It appears both the suits were earlier pending together on the original side of this Court, the latter having been transferred to the District Court on account of change of pecuniary jurisdiction. The learned counsel appearing for the respondent, she representing the plaintiff in both the suits, fairly concedes to the prayer for transfer of the second above-captioned suit from the District Court to the original side of this Court, *inter alia*, in view of the observations recorded in order dated 12.10.2017 on the file of CS (OS) 2642/2010. Thus, the civil suit presently registered as CS No. 9087/2016

titled *Prashanth Projects (P) Ltd. vs. Indian Oil Corporation Ltd. & Anr.* is withdrawn from the Court of Mr. Ajay Gulati, Additional District Judge (South) at Saket Courts Complex to the original side of this Court for further proceedings in accordance with law.

The transferor court shall send the file complete in all respects to the transferee court after fixing an appropriate date for the parties to appear there.

The petition and the application filed therewith stand disposed of in above terms.

Dasti under the signatures of Court Master to both sides.

R.K.GAUBA, J

MARCH 06, 2018

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