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

+ TR.P.(C.) 114/2025

SYSCOM PACKAGING COMPANYPetitioner

Through: Mr. Vibhor Garg and Ms. Diksha
Kakkar, Advocates.

versus

**HARYANA STATE COOPERATIVE SUPPLY AND MARKETING
FEDERATION LIMITED HAFED & ANR.**Respondents

Through: Counsel for R-1 (appearance not
given)

Mr. Rajesh Banati, Mr. Ashish
Sareen, Mr. Adil Asghar, Mr. Harsh
Gupta, Mr. Aditya Mishra, Advocates
for R-2.

+ TR.P.(C.) 115/2025

SYSCOM CONSUMER PRODUCTS PVT LTDPetitioner

Through: Mr. Vibhor Garg and Ms. Diksha
Kakkar, Advocates.

versus

**HARYANA STATE COOPERATIVE SUPPLY AND MARKETING
FEDERATION LIMITED & ANR.**Respondents

Through: Counsel for R-1 (appearance not
given)

Mr. Rajesh Banati, Mr. Ashish
Sareen, Mr. Adil Asghar, Mr. Harsh
Gupta, Mr. Aditya Mishra, Advocates
for R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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10.07.2025

CM APPL. 40033/2025 in TR.P.(C.) 114/2025

CM APPL. 40208/2025 in TR.P.(C.) 115/2025

Exemptions allowed, subject to just exceptions.

The applications stand disposed-of.



TR.P.(C.) 114/2025

TR.P.(C.) 115/2025

By way of the present petitions filed under section 24 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), the petitioners seek transfer of cases bearing OMP (COMM.) No.56/2024 and OMP (COMM.) No. 57/2024 *from* the court of the learned District Judge (Commercial)-06, South-East District, Saket Courts, Delhi *to* the court of the learned District Judge (Commercial Court), South District, Saket Courts, Delhi.

2. Mr. Vibhor Garg, learned counsel appearing for the petitioner company points-out order dated 19.05.2025 made by this Bench in TR.P.(C.) No.54/2025, TR.P.(C.) No.79/2025, TR.P.(C.) No.80/2025 and TR.P.(C.) No.81/2025, which were transfer petitions arising from a similar situation, the court had allowed the transfer petitions on consent of the parties and also on the consideration that arbitration proceedings must be disposed-of expeditiously, observing that the question of law, viz., the distinction between the 'return' of a plaint under Order VII Rule 10 CPC *and* 'transfer' of proceedings under section 24 CPC was left open.
3. Issue notice.
4. Learned counsel appears for respondent No.1 and Mr. Rajesh Banati, learned counsel appears for respondent No.2 on advance copy; accept notice; and do not oppose the transfer of the petitions.
5. Mr. Banati however submits that the question of law as referred-to above be kept open.
6. Accordingly, the transfer petitions are allowed.



7. It is directed that OMP (COMM.) No.56/2024 and OMP (COMM.) No. 57/2024 pending before the court of the learned District Judge (Commercial)-06, *South-East District*, Saket Court, Delhi shall stand *transferred to* the court of the learned District Judge (Commercial Court), *South District*, Saket Court, Delhi, leaving the question of law referred-to above open.
8. Let a copy of this order be communicated to the learned Principal District & Sessions Judge, Saket District Court, New Delhi for information and compliance.
9. The petitions are disposed-of in the above terms.
10. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J.

JULY 10, 2025/ss