



\$~51

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

+ **TR.P.(C.) 170/2025**

GURDIP SINGH

.....Petitioner

Through: Ms. Sangeeta Chandra, Adv.
(DHCLSC) alongwith Ms. Nidhi
Garg, Adv.

versus

JAGDEEP SINGH MALIK

.....Respondent

Through: Mr. Faisal Zafar, Adv. (through VC)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **17.11.2025**

1. By way of the present petition under *Section 24* of the Code of Civil Procedure, 1908 (*CPC*), the petitioner seeks transfer of suit being CSDJ No. 209/2020 titled “*Gurdip Singh Vs. Jagdeep Singh Malik*” presently pending before the learned District Judge-04, South East, Saket Courts, New Delhi to the learned District Judge (Commercial), South-East District, Saket District Court, New Delhi.

2. Learned counsel for the petitioner submits that the aforesaid suit/ *lis* pending before the learned Trial Court is a commercial dispute under *Section 2(1)(c)(vii)* of the Commercial Courts Act, 2015 which was inadvertently filed by the petitioner/ plaintiff before an ordinary civil court and can be exclusively tried by a commercial court.

3. Learned counsel for the petitioner placing reliance upon a judgment rendered by a coordinate Bench of this Court in *Namita Gupta v. Suraj Holding* [CM(M) No. 457/2023], submits that under similar circumstances, the transfer petition therein was allowed. She further submits that the respondent in the present case also has no objection if the present petition is allowed.



4. Learned counsel for the respondent, appearing through video conferencing, submits that he has no objection if the present petition is allowed and the relief sought therein is granted.

5. As such, in view of the judgment rendered by a coordinate Bench of this Court in **Namita Gupta v. Suraj Holding** [CM(M) No. 457/2023], and order dated 29.10.2025 passed by this Bench in **ACME Resources Limited v. Sagar Narang** [TR.P.(C)169/2023] and in view of the aforesaid statement made by the learned counsel for respondent, the present petition is allowed.

6. In view thereof, CSDJ No. 209/2020 titled “**Gurdip Singh Vs. Jagdeep Singh Malik**” presently pending before the learned District Judge-04, South East, Saket Courts, New Delhi is transferred to the Court of the learned District Judge (Commercial), South-East District, Saket District Court, New Delhi, with a direction to commence the proceeding(s) thereof from the stage which it was before.

7. The learned District Judge-04, South East, Saket Courts, New Delhi is directed to send the entire record pertaining to CSDJ No. 209/2020 titled “**Gurdip Singh Vs. Jagdeep Singh Malik**” to the Court of the learned District Judge (Commercial), South-East District, Saket District Court, New Delhi.

8. A copy of the present order be sent to Court of the the learned Principal District and Sessions Judge, South East, Saket Courts, New Delhi, for information and compliance.

SAURABH BANERJEE, J.

NOVEMBER 17, 2025/bh