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

+ **TR.P.(C.) 81/2026 & CM APPL. 25349/2026**

M/S GNC INFRA LLP

.....Petitioner

Through: Mr. Alok Bhachawat, Mr. Sumeet Singh, Mr. Ishan Jain and Mr. Manish Chaurasiya, Advocates.

versus

M/S MACHINE TOOLS AIDS (INDIA)

.....Respondent

Through: Mr. R.C. Tiwari and Ms. Suman Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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17.04.2026

1. This hearing has been done through hybrid mode.

CM APPL. 25348/2026 (Exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

TR.P.(C.) 81/2026 & CM APPL. 25349/2026

3. The present petition under Section 24 read with Section 151 of the CPC, seeks the following prayers: -

“(a) Withdraw case bearing CS (Comm) No. 350/2020 titled "M/s GNC Infra LLP v. M/s Machine Tools Aids (India)" from the Ld. Court of Ms. Neera Bharihike, District Judge (Commercial - 06), South East District, Saket Courts, New Delhi and re-transfer the same to the Ld. Court of Ms. Neera Bharihike, District Judge (Commercial 06), South East District, Saket Courts, New Delhi; and/ or

(b) Pass such other and further orders that this Hon'ble Court deems fit and proper in the present circumstances.”



4. By way of the present petition, the petitioner is seeking transfer of suit being **CS (Comm) No. 350/2020** titled “M/s GNC Infra LLP v. M/s Machine Tools Aids (India)” pending before the Court of learned District Judge (Commercial-06), South East District, Saket Courts, New Delhi to the Court of learned District Judge (Commercial-06), South East District, Saket Courts, New Delhi.

5. *Vide* order dated 01.04.2026, the learned District Judge (Commercial-06), South East District, Saket Courts Delhi, had recorded as under: -

“...Ld. Counsel for defendant requests that this court may adjudicate the present suit and the counsel for the plaintiff has joined hands with the Ld. Counsel for defendant for the said request. However, as an abundant precaution, Ld. Counsel for plaintiff submits that he will file an appropriate petition before Hon'ble High Court of Delhi seeking direction that this court may adjudicate the present suit in view of waiver of objection of territorial jurisdiction of this court by both sides acquiescing to territorial jurisdiction of this court.”

6. Learned counsel appearing on behalf of the respondent submits that he has no objection if the present petition is allowed and the said suit is transferred.

7. In view thereof, the present petition is disposed of with direction that the suit being **CS (Comm) No. 350/2020**, titled as “M/s GNC Infra LLP v. M/s Machine Tools Aids (India)” and pending before the Court of learned District Judge (Commercial-06), South East District, Saket Courts, New Delhi, is re-transferred to the same Court. Parties are directed to appear before the concerned Court, accordingly.

8. Needless to state that the learned Trial Court shall proceed with the said suit from the stage, it is being transferred.

9. Pending application(s), if any, also stands disposed of accordingly.



10. Copy of the order be sent to the learned District Judge (Commercial-06), South East District, Saket Courts, New Delhi, for necessary information and compliance.
11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 17, 2026/sn/db