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

+ **TR.P.(C.) 97/2026**

**IFFCO TOKIO GENERAL INSURANCE CO. LTD. & ANR.**

.....Petitioners

Through: Mr. Ramesh Kumar, Advocate.  
versus

**ASSOCIATED CONTAINER TERMINAL LTD. ....Respondent**

Through: Mr. Prithvi Raj Sikka, Advocate  
(through VC).

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

% **06.05.2026**

1. This hearing has been done through hybrid mode.

**CM APPL. 30298/2026 (exemption)**

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

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

“(a) To transfer the civil suit bearing No. CS DJ 644/2016 9943/16 titled as 'IFFCO-Tokio General Insurance Co Ltd & Anr vs Associated Container Terminal Ltd' pending before the Court of Ms Neha, District Judge-06, South East, Saket Court, Delhi to the District Judge (Commercial), South-East District, Saket District Court, Delhi; and

(b) To pass such other order or direction as deemed fit and proper in the facts and circumstances of the present case.”

4. By way of the present petition, the petitioner is seeking transfer of civil



suit bearing No. CS DJ 644/2016 9943/16 titled as 'IFFCO-Tokio General Insurance Co Ltd & Anr vs Associated Container Terminal Ltd' pending before the Court of Ms. Neha, District Judge-06, South East, Saket Court, Delhi to the District Judge (Commercial), South-East District, Saket District Court, Delhi.

5. The aforesaid suit (**CS (OS) No.2112/2014**) was initially instituted on behalf of the petitioners seeking recovery of Rs.69,69,318/- from the respondent/defendant before Ordinary Original Civil Jurisdiction of this Court on 30.05.2014. Written statement in the suit was filed on behalf of the respondent on 11.03.2015. Thereafter, the Commercial Courts Act, 2015, came into effect on 01.01.2016. Since, the specified value of the subject suit of the petitioners was less than Rs.1 Crore, and the Commercial Courts at the district court level were yet to be constituted by that time, the suit was proceeded as ordinary suit.

6. Owing to the increase in pecuniary jurisdiction, this Court *vide* order dated 21.01.2016 transferred the aforesaid suit to the learned District Court, South East Distt. Saket Courts. Subsequently, by way Commercial Courts (Amendment) Act, 2018, the threshold value of commercial suits was reduced from Rs.1 Crore to Rs.3 Lakhs, which expanded the scope of disputes eligible for Commercial Courts, and lead to the establishment of dedicated Commercial Courts at District Courts level in Delhi, and *vide* order dated 06.01.2020, the aforesaid suit was transferred to the Court of learned District Judge, Commercial Court-02, South East District, Saket Courts. Thereafter, *vide* order dated 07.03.2020, learned Commercial Court-02, South-East, Saket, transferred the subject suit back to learned ADJ-06, South-East, Saket, Delhi, in pursuance of Order No. Judl/cases Transfer/FS/SE/Saket/2020-



2432-2451 dated 24.02.2020. The respondent's evidence in the subject suit was concluded on 17.11.2025, and the same is at the stage of final arguments.

7. It is stated in the present petition that on 22.01.2026, learned counsel for the respondent pointed out before learned District Judge, South-East, Saket Courts, that dispute between the parties in the subject suit is commercial in nature, and therefore, the same is ought to be transferred to Commercial Court of competent jurisdiction in South East District, Saket Courts. Thus, the present petition has been filed seeking the aforesaid reliefs.

8. Learned counsel enters appearance on behalf of the respondent, and he has no objection if the present petition is allowed, and the subject suit is transferred to Commercial Court of competent jurisdiction in South-East District, Saket Courts, Delhi.

9. Perusal of the record reflects that the subject suit is at the stage of final arguments, and the same was, at one point in time, pending before learned District Judge, Commercial Court, South-East District, Saket. It is in pursuance of order dated 07.03.2020, the subject suit was transferred to learned ADJ-06, South-East District, Saket Courts, Delhi.

10. In view of the above, the present petition is allowed.

11. The suit, CS DJ 644/2016 (9943/16), instituted at the instance of the petitioners, and pending before the Court of learned District Judge-06, South-East, Saket Courts, Delhi, shall be transferred to the Court of learned District Judge (Commercial), South-East District, Saket District Courts, Delhi. The subject suit shall be proceeded from the stage it is being transferred.

12. Let the records of suit, CS DJ 644/2016 (9943/16), pending before the Court of learned District Judge-06, South-East, Saket Courts, Delhi, be transferred to the concerned Transferee Court within a period of 10 days.



13. Parties are directed to appear before the learned District Judge (Commercial), South-East District, Saket District Courts, Delhi, accordingly.
14. Copy of the order be sent to learned District Judge-06, South East, Saket Courts, Delhi, and learned District Judge (Commercial), South-East District, Saket District Courts, Delhi, for necessary information and compliance.
15. Pending applications, if any, also stand disposed of accordingly.
16. Order be uploaded on the website of this Court, *forthwith*.

**AMIT SHARMA, J**

**MAY 6, 2026/kr/bsr/ns**