

06.02.2024

Present : Sh. Rohit Sain, Ld. Proxy Counsel for the plaintiff.
Sh. J.K. Sinha, Ld. LAC for the defendant.

Ld. Counsel for the defendant took objection to the jurisdiction of this court stating that the subject matter of the present suit relates to a commercial dispute and requested that the plaint be returned to be filed before competent court of Ld. District Judge (Commercial).

Perusal of the plaint shows that the the subject matter of the present case does not relate to ordinary transaction of financiers. Further, no written agreement has been filed on record. In view of above, court is of the opinion that the subject matter of the present case does not prima facie relates to a commercial dispute, therefore, at this stage, no ground exists for return of the plaint.

Application for issuance of summons for judgement under Order XXXVII Rule 3(4) r/w Section 151 CPC is already on record.

Let summons for judgment be issued to the defendant in format prescribed under Order XXXVII CPC and on filing of PF/RC as well as through speed post and also through

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whatsapp returnable for **08.04.2024** with the direction to effect the service of summons for judgment on the address which was furnished by the defendant when appearance was entered by the defendant.

(SOMITRA KUMAR)
ADJ-06, EAST/ KKD COURTS
DELHI/06.02.2024 (s)