

05.06.2026

One of the regular Stenographer is on leave today.

Present : Sh. Naveen Pal Ld. proxy counsel for plaintiff through VC.

Today, matter is listed for consideration.

Ld. proxy counsel for plaintiff upon instructions submits that the transaction in question is commercial in nature and therefore, request to return the plaint as per Order 7 Rule 10 CPC.

Submissions heard. Record perused.

Perusal of plaint shows that the plaintiff has filed the present suit under order XXXVII CPC for recovery of Rs.8,61,670/- against the defendants. Record further shows that the defendants had placed the order for supply of dry fruits, nuts and allied food products before the plaintiff, which were duly received and acknowledged by the defendants for a total value of Rs. 10,45,670/-. But the defendants in discharge of their liability, made only part payment of Rs.2,09,000/- and failed to pay the balance amount despite repeated requests and reminders. Hence, the present suit. Thus, it is clear that the present suit is a suit involving a commercial dispute within the purview of section 2 (1) (C) of Commercial Courts Act 2015 (as amended by the Act of 2018).

As a Commercial Court is already functioning in District Shahdara, hence it would be appropriate if this matter

is filed before the said court. Accordingly, in exercise of the powers under Order 7 Rule 10 CPC, this court deems it fit to return the plaint to be filed before the court of competent jurisdiction. It is also directed that original documents along with court fees be also returned to the plaintiff / duly authorized person by plaintiff along with the plaint after retaining certified copies of the same on record.

Ahlmad is directed to make necessary endorsement on the plaint, as per rules.

File be consigned to Record Room after due compliance.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/05.06.2026