

**IN THE COURT OF 3RD ADDITIONAL SENIOR CIVIL JUDGE, AT
BHARUCH**

Special Civil Suit No. 98/06

Plaintiff:

(1)IFFCO TOKIO General Insurance Company Ltd.
34, Nehru Place
New Delhi- 110019
Through its Office at 301-303,
Sterling Center, R C Dutt Road
Alkapure, Vadodara-390005

v/s

Defendants:

(1)BSI Inspectorate of India Pvt. Ltd.
(now Inspectorate Griffith India Pvt. Ltd.)
Regd. Office:608, Central Plaza,
2/6 Sarat Bose Road,
Kolkata 700020

(2)Om Carriers
Regd. Office:
Baksuma, Govindpur,
Dhanbad 828109
Through Mr. O P Chaudhary

(3)Gujarat Narmada Valley Fertilizers Company Ltd.
P O Narmada Nagar 392015
Bharuch

Appearance:

Shri M.S. Solanki : Ld. Advocate for the Plaintiff
Shri V.R.Gandhi & K.S.Shaikh : Ld. Advocates for the defendants

Order below ex.77 application

(1)Read this application, heard the Ld. Advocate for the plaintiff. Perused the record and proceedings.

(2) By filing this application, the Ld. Advocate for the plaintiff side has prayed to transfer this matter to the Honble Commercial Tribunal, i.e. recently established at Vadodara, for better adjudication, as this matter pertains to the commercial transactions amongst the parties. The Ld. Advocate for the otherside has not objected this application.

(3)Looking to the plaint along with the papers on record, it prima facie appears that commercial transactions have taken placed amongst the parties, and the same pertains to the provisions of s.2(1)(c) of the Commercial Courts, Commercial Division And Commercial Appellate Division of High Courts Act, 2015, wherein the definition of commercial transaction, trade and commerce is described. That factual aspect is not objected from the other side also, and if the matter on hand be referred to the Honble Commercial Court- Vadodara, there would not be any bias or prejudice to any of the sides. In those circumstances, I pass the final following order.

FINAL ORDER

This application is granted. The Special Civil Suit no. 98/06 is hereby ordered to be referred to the Honble Commercial Court- Vadodara for further proceedings, as per laws.

Necessary yadi to be sent to the Honble Principal Dist. Judge Saheb.

Pronounced and signed in open Court today on 30th Day of December in the year of 2017.

(Miss. Bharati Kanubhai Jadav)
3rd Additional Senior Civil Judge
Bharuch (Code no GJ00985)