

The advocate for the plaintiff is present and has filed a memo stating that the the suit if filed on 03.03.2018 and the specified value is less than rupees one crore and hence this court has no jurisdiction to entertain the suit and prayed to transfer the suit to the earlier court.

As per Sec.6 of the Commercial Courts Act, 2015, the commercial court shall have jurisdiction to try all suits and applications relating to a commercial dispute of a specified value.

The specified value of the subject matter of the Commercial Dispute in a suit shall be determined as per Sec.12 of the Commercial Courts Act, 2015 and the specified value in relation to commercial dispute as per Sec.2(i) of the said Act shall mean the value of the subject matter in respect of the suit shall

not be less than 3,00,000/- or such higher value as may be notified by the Central Government.

The Commercial Courts Act, 2015 came to be amended by Act No.28 of 2018 and came into force on 3rd day of May 2018. As per Sec.19 of the Act No.28 of 2018, the provisions of the amended Act shall apply only to cases relating to Commercial Dispute filed on or after the date of commencement of the Act. In other words the amended Act is prospective in nature.

The suit has been instituted on 03.02.2018 and the suit is for specific permanence of contract based on the agreement dated 10.07.2015 and for consequential relief of injunction relating to an immovable property (i.e., the specified value of the subject matter of the suit is below rupees one crore) and hence this court has no jurisdiction to entertain the suit.

Com.OS 968/2018
26.02.2021

Office is hereby directed to place the entire records before the Hon'ble Prl. City Civil and Sessions Judge, Bengaluru for reallocation.

The plaintiff is hereby directed to appear before the transferee court on 15.03.2021.

LXXXVI ACC & SJ, Bengaluru.