

Com.OS 9119/18

The advocate for the plaintiff is present and has filed a memo stating that the suit is for recovery of money and the loan granted to the defendants was for the purpose of education of defendant No.1 and hence this court has no jurisdiction to entertain the suit.

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 suit is for the relief of recovery of money and the purpose of loan is for education of defendant

No.1 hence on going through the averments plaint, the nature of dispute will not come within the ambit of commercial dispute as defined u/s 2 (1) (c) of the Commercial Courts Act, 2015 and hence this court has no jurisdiction to entertain the suit.

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

The parties to the suit are hereby directed to appear before the transferee court on 19.03.2021.

LXXXVI ACC & SJ, Bengaluru.