

The learned counsel for the plaintiff has filed a memo praying the court to return the file to CCH – 70 for further proceedings, as the matter in dispute is not a commercial dispute as per the provisions of the Commercial Courts Act, 2015.

The defendant and her counsel absent.

Perused the materials available on record.

The plaint averments indicate that the plaintiff has filed the suit against the defendant for ejectment from suit schedule property; for recovery of arrears of damages of Rs.10,000/-per month from the date of suit till the date of delivery of possession of suit schedule property and such other reliefs. The plaintiff has valued the suit relief at Rs.14,30,000/- and has paid a Court fee of Rs.83,625/- as per Sec.24(a) of KCF and SV Act.

The materials available on record show that the dispute is with respect to eviction of defendant from the suit schedule property after termination of license. The said dispute does not qualify to be a dispute as defined U/Sec 2(1)(c)(i) to (xxii) of the Commercial Courts Act.2015.

In the circumstances of the case it is clear that this court gets no jurisdiction to adjudicate upon the matter in dispute as the same does not fall within the definition of ‘Commercial dispute’. Hence, the following:

ORDER

The memo filed by the plaintiff is accepted.

The office is directed to place the records before the Hon'ble Prl. City Civil & Sessions Judge, Bengaluru on or before 20.03.2021 for necessary orders regarding return of the case to CCH-70.

LXXXIX ACC& SJ, Bengaluru.
(06.03.2021)