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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 226/2021, I.A. 3307/2019, I.A. 7871/2019, I.A. 12586/2020, I.A. 5298/2021, I.A. 7918/2021 & REVIEW PET. 146/2021
BOXING FEDERATION OF INDIA Plaintiff

Through: Mr. Hrishikesh Baruah and Mr. Parth Goswami, Advs.

versus

INDIAN AMATEUR BOXING FEDERATION & ORS.
..... Defendants

Through: Ms. Anupama Sharma & Mr. Vishnu Sharma, Advs.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **28.02.2022**

(By Video-Conference on account of COVID-2019)

REVIEW PET. 146/2021

1. As on date, five IAs, namely IA 3307/2019, IA 7871/2019, IA 12586/2020, IA 5298/2021 and IA 7918/2021, are listed before this Court. However, the defendant has moved REVIEW PET 146/2021, seeking review of order dated 12th April, 2021, passed by this Court whereby, this Court observing that the dispute between the parties was not a commercial dispute, permitted the suit to be converted into an ordinary suit and re-listed.

2. The review petition submits that this procedure is contrary to the judgment of the Supreme Court in ***Ambala Sarabhai Enterprises***



Ltd. vs. K.S. Infraspace LLP¹, in which the Supreme Court upheld the direction of the High Court of Gujarat, directing return of the suit which had been filed as a commercial suit for being re-filed as an original suit. The Supreme Court directed the Court returning the plaint to fix a period of time within which the plaint would be re-filed as an original suit.

3. Mr. Hrishikesh Barua, learned Counsel for the plaintiff, seeks a weeks' time in order to examine the said decision and offer his submissions thereon.

4. As all other applications would be dependent on the outcome of this review petition, the Court would take up the applications after a decision is taken in the review petition.

5. Accordingly, re-notify REVIEW PET 146/2021 for disposal on 8th March, 2022.

C.HARI SHANKAR, J

FEBRUARY 28, 2022
SS

¹ 2020 15 SCC 585