

Delhi Tourism And Transportation ... vs Swadeshi Civil Infrastructure Pvt Ltd on 14 January, 2021

Author: Sanjeev Sachdeva

Bench: Sanjeev Sachdeva

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IN THE HIGH COURT OF DELHI AT NEW DELHI
FAO 232/2020, CM AAPL.32258/2020 & CM APPL.
DELHI TOURISM AND TRANSPORTATION DEVELOPME
CORPORATION

....

Through: Mr. Sachin Datta, Sen
with Ms. Anisha
Advocate.

versus

SWADESHI CIVIL INFRASTRUCTURE PVT LTD

Through: Mr. Dinkar

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% 14.01.2021

1. The hearing was conducted through video conferencing.

2. In terms of order dated 16.12.2020, the Registry has furnished the report. The report is taken on record.

3. A legal question has arisen in this batch of petitions as is noticed in order dated 16.12.2020 as to whether, in terms of Section 13 (1A) the Commercial Courts Act, 2015, appeals arising out of orders or judgments passed by a Commercial Court at the level of District Judge exercising Original Civil jurisdiction would be heard by a Single Judge of this Court or should be placed before the Division Bench of this Court

4. In terms of Section 5 of the Commercial Courts Act, 2015, the FAO 232/2020 Page 1 Signing Date:14.01.2021 22:17:18 This file is digitally signed by PS to HMJ Sanjeev Sachdeva.

Commercial Appellate Division is the Division Bench constituted by the Chief Justice of the concerned High Court.

5. Since not only appeals arising out of proceedings under the Arbitration Act but appeals arising out of all commercial disputes would be affected, I deem it expedient to appoint Mr. Rajeev Virmani,

Senior Advocate, assisted by Mr. Ankit Virmani, Advocate (mobile # +91 9920090570 email: ankit@virmani.in) as Amicus Curiae to assist the Court on the said issue.

6. Parties may furnish their submissions to the learned amicus curiae within one week.

7. Copy of order dated 16.12.2020 as also this order be provided to learned Amicus Curiae.

8. List for consideration on 27.01.2021.

9. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

JANUARY 14, 2021
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SANJEEV

FAO 232/2020

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to HMJ Sanjeev Sachdeva.