



CPC S. 9 - Jurisdiction - Court, would normally lean in favour of construction, which would uphold retention of jurisdiction of the civil court

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“...The dispute between the parties was eminently a civil dispute and not a dispute under the provisions of the Companies Act. Section 9 of the Code of Civil Procedure confers [jurisdiction](#) upon the civil courts to determine all disputes of civil nature unless the same is barred under a statute either expressly or by necessary implication. Bar of jurisdiction of a civil court is not to be readily inferred. A provision seeking to bar jurisdiction of a civil court requires strict interpretation. The court, it is well settled, would normally lean in favour of construction, which would uphold retention of jurisdiction of the civil court...”

[Dwarka Prasad Agarwal \(D\) by Lrs. and Anr. vs. Ramesh Chander Agarwal and Ors.](#) : (2003) 6 SCC 220

cited with approval in [Bhagubhai Dhanabhai Khalasi and Anr. vs. The State of Gujarat and Ors.](#), 2007 (5) SCALE 357.

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