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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1722 of 2015**

Jhansi Orai Tollway Pvt. Ltd. A Company Incorporated Under The Provisions Of The Companies Act, 1956 And Having Its Registered Office At G. E Road, Pulgaon, Durg 491001 (Chhattisgarh) Through Its Duly Authorized Representative And Director Surendra Rathi, S/o Shri Lalchandji Rathi, Aged About 43 Years, Occ.: Business, R/o A- 16, Mahesh Nagar, Durg. (Chhattisgarh)

---- Petitioner

Versus

1. Union Of India Through Its Secretary, Ministry Of Road, Transport And Shipping, Govt. Of India, Transport Bhawan, Near Parliament Of India, New Delhi.
2. National Highways Authority Of India, An Authority Constituted Under The National Highways Authority Of India Act, 1988 Having Its Principal Office At G- 5 & 6, Sector - 10, Dwarka, New Delhi- 110075 Through Its Chairman And Also Through Its General Manager (C M-1), And Having Unit Office At - Project Director, National Highways Authority Of India, House No. A- 7, V I P Estate, Shankar Nagar, Raipur 492001 (Chhattisgarh)

---- Respondents

For Petitioner:-	Shri Prafull N. Bharat and Shri AH. Lohiya, Advocates.
For Respondent No.1:-	Shri NK. Vyas, Assistant Solicitor General.
For Respondent No.2:-	Smt Fouzia Mirza, Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per Navin Sinha, Chief Justice****1/10/2015**

1. A preliminary objection is raised on behalf of Respondent No.2 with regard to the territorial jurisdiction of this Court to entertain the Writ Petition in view of Article-39.1 of the Concession Agreement by which, both parties had agreed that the Courts at Delhi alone shall have exclusive jurisdiction over any matter arising out of this agreement.

2. In view of the aforesaid, the Writ Petition is held to be not maintainable before this Court and is disposed with the observation that if the Petitioner so desires, it may approach the competent Court in accordance with law.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE

Priya