

A.No.2432 of 2014
in
C.S.D.No.11236 of 2014

M.M.SUNDRESH, J.

Seeking leave to sue the respondent, the applicant/plaintiff has come up with this application.

2.Applicant is the plaintiff in the suit filed for recovery of money. The applicant is providing security service. An offer was made by the applicant to the respondent situated at Jharsuguda District, Odisha on 09.07.2010. Admittedly, the offer was accepted at Odisha. The deployment of security personnel was also done from the office of the applicant at Odisha. The subsequent communications are also between the applicant's office at Odisha and the respondent. The bills have been raised at Odisha. Therefore, this Court is of the view that there is no territorial jurisdiction available on the sole ground that initially offer was made at Chennai and the registered office is also situated within the territorial jurisdiction of this Court. The doctrine of *forum conveniens* also would come into play, more so, when the transactions have taken place *inter se* parties at Odisha.

M.M.SUNDRESH, J.

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3.In such view of the matter, the application seeking leave stands rejected. Registry is directed to return the plaint along with court fee to the applicant. The applicant is also at liberty to present the suit before the jurisdictional Court at Odisha.

03.11.2016

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