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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5485/2016 & CM 22846/2016**

ABHIJEET FERROTECH LIMITED

..... Petitioner

Through : Mr. Sandeep Bajaj, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr. Sumant Bhushan, Adv. for R-1.

Mr. K.S. Parihar, Advocate for R-2.

Mr. B.K. Tamber with

Mr. Sanjay Bhatt, Advocate for R-3 & 9.

Mr. Sarfaraz Khan, Advocate for R-4.

Ms. Asmita Kumar, Advocate for R-6.

Mr. Bhupender Singh, Advocate for R-7.

Ms. Arti Singh, Advocate for R-8.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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15.12.2016

1. On a perusal of the memo of parties, it transpires that except for the respondent No.1/UEI that has been impleaded through the Ministry of Finance at New Delhi, all the respondents and even the petitioner are based in Mumbai/Kolkata/Chennai/Ahmadabad. In such circumstances, it has been enquired from learned counsel for the petitioner as to why has the present petition been filed in Delhi, with a specific averment made in para 83 of the writ petition that the cause of action has arisen within the territorial jurisdiction of this Court, when it does not appear so on a perusal of the averments made in the petition.

2. Counsel for the petitioner fairly states that he may be permitted to withdraw the present petition, while reserving the right of his client to seek its remedies against the respondents before the appropriate forum vested with territorial jurisdiction in that regard, in accordance with law.

3. At this stage, counsels for the respondents state that the present petition has already been rendered infructuous.

4. This Court declines to make any observations on the above aspect.

5. The writ petition is dismissed as withdrawn, along with the pending application, with liberty granted to the petitioner, as prayed for.

HIMA KOHLI, J

DECEMBER 15, 2016

sk/rkb

