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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 1577/2003**
TITAN INDUSTRIES LIMITED. Plaintiff
Through : Mr.Vibhav Mithal, Advocate.
versus
NITIN P. JAIN Defendant
Through : Ms.Priyanka Anand & Mr.Nikhil Mittal, Advs.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **12.09.2017**

IA 8976/2017 (u/O VII R 10A(2) CPC on behalf of the plaintiff)

1. Learned counsel for the defendant does not wish to file any formal response to the application. She states that defendant has no objection if the plaint is returned to be presented before the Calcutta High Court.
2. Vide order dated 21.11.2016 while disposing IA 2094/2006 (of the defendant u/O VII R 11 CPC) instead of rejecting the plaint, it was ordered to be returned to the plaintiff for presentation in the Court of appropriate territorial jurisdiction. It was clarified that subject to the plaintiff filing certified copy of the original documents filed in the suit, the original documents be also returned to the plaintiff in accordance with rules.
3. Learned counsel for the plaintiff informs that the Calcutta High Court has territorial jurisdiction to entertain and decide the present suit and the plaintiff intends to present the plaint there. Prayer has been made to direct the parties to appear before Calcutta High Court on 7th November, 2017.

4. Accordingly, in terms of the order dated 21.11.2016 the plaint is returned to the plaintiff for presentation to the Calcutta High Court. The parties shall appear before the Registrar General, Calcutta High Court on 7th November, 2017 for this purpose. The defendant has been put to notice.

5. The application stands disposed of in the above terms.

S.P.GARG, J

SEPTEMBER 12, 2017 / tr