

12# \$~

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

+ CS(OS) 137/2010

THE INDIAN PERFORMING RIGHT SOCIETY LTD..... Plaintiff

Represented by: Mr. Saikrishna, Mr. Rajagopal
and Mr. Manish Mehra,
Advocates.

versus

SHARATH PATIL & ANR

..... Defendants

Represented by:

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.10.2017

%

1. Learned counsel for the plaintiff at the outset submits that since this Court lacks the territorial jurisdiction to entertain the suit, the plaint be returned to the plaintiff to file the same in the Court of competent jurisdiction.
2. Plaintiff has its registered office in Mumbai and even the defendants are based in Thane, thus neither the plaintiff nor the defendants have their registered office in Delhi, nor has the cause of action arisen in Delhi.
3. Thus in view of the decision of this Court reported as 227 (2016) DLT 320 Ultra Home Construction Pvt. Ltd. vs. Purushottam Kumar Chaubey & Ors. learned counsel for the plaintiff seeks the plaint to be returned so as to presented in the Court of competent jurisdiction.
4. Consequently, the plaint is returned to the plaintiff to be filed in the Court of competent jurisdiction if so advised.

MUKTA GUPTA, J.

OCTOBER 13, 2017/'vn'