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

+ W.P.(C) 1143/2016 and C.M. Nos.5011/2016 (stay) 39919/2016 (for vacation of stay by respondents)

KULBHUSHAN MADAN Petitioner
Through: Mr. Sumit Kumar, Advocate.

versus

THE ZONAL MANAGER, LIFE INSURANCE CORPORATION OF INDIA & ORS Respondents
Through: Mr. Sanjay Rawat, Advocate.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
% **21.02.2017**

1. The impugned order dated 16.1.2016 was communicated to the petitioner at Rohtak. Petitioner was also posted at Rohtak during the relevant period when the cost ratio was not favourable to the petitioner. This Court therefore would not have territorial jurisdiction and in any case this Court would be the *forum non-conveniens* as per the Full Bench judgment of this Court in the case of ***Sterling Agro Industries Ltd. Vs. Union of India (UOI) and Ors. AIR 2011 Delhi 174.***

2. Counsel for the petitioner accordingly prays that this writ

petition be allowed to be withdrawn with liberty to the petitioner to file appropriate independent proceedings in the correct court of territorial jurisdiction and which liberty as prayed for is allowed. Petitioner also in accordance with law will be entitled to benefit of principles contained in Section 14 of the Limitation Act, 1963 during the period of pendency of this petition in this Court which was filed on 5.2.2016.

3. Petition is accordingly disposed of as withdrawn with liberty as stated above by today's order.

VALMIKI J. MEHTA, J

FEBRUARY 21, 2017

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W.P.(C) No.1143/2016

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