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

+ W.P.(C) 1314/2017 and C.M. No.5989/2017 (stay)

NIFTEM TEACHERS WELFARE ASSOCIATION Petitioner
Through: Mr. Purushotam Sharma Tripathi,
Advocate with Mr. Sanjeeb Panigrahi,
Advocate.

versus

CHANCELLOR, NIFTEM / SECRETARY, MINISTRY OF FOOD
PROCESSING INDUSTRIES (MOFPI) Respondent
Through: Mr. R.V. Sinha, Advocate for
respondent Nos.1 to 3.
Mr. Apoorv Kurup, Advocate for
respondent No.4.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **15.02.2017**

1. In view of the fact that employer National Institute of Food Technology/respondent no.2 is not situated at Delhi, this Court would not have jurisdiction and in any case would be the *forum non-conveniens* in view of 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. In view of the above, counsel for the petitioner is granted liberty to withdraw this petition and file appropriate independent

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proceedings in the Court having territorial jurisdiction, and which proceedings when filed petitioner will have the benefit of Section 14 of the Limitation Act, 1963 so far as the period as regards the date of filing of this petition in this Court and today's order.

3. Writ petition is disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 15, 2017

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