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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 623/2018**
ZUBERI ENGINEERING COMPANY Petitioner
Through: Ms.Kanak Bose, Adv.

Versus

PUNJ LLOYD LTD. Respondent
Through: Mr.Manish Shekhari, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
ORDER
% **02.11.2018**

1. This petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking appointment of an Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the Letter of Intent dated 18.07.2007 placed by the respondent on the petitioner.
2. The said Letter of Intent was preceded by the Work Order No.175317 dated 16.07.2007 placed by the respondent on the petitioner. The said Work Order gives the address of the respondent to be its Corporate Office at Gurgaon. Further, Clause 1.2 of the same reads as under:

“1.2 Reference to laws shall mean the applicable laws of India and of Rajasthan State.”

3. The work to be performed under the Letter of Intent was at Chhabra Thermal Power Project, Chhabra, District Baran, Rajasthan State. Therefore, no part of cause of action has arisen within the jurisdiction of this

Court.

4. Counsel for the petitioner submits that the present petition has been filed in this Court as the Registered Office of the respondent is situated within the jurisdiction of this Court. In my view, the same would not confer jurisdiction on this Court as the Letter of Intent was placed on the petitioner from the Corporate Office of the respondent at Gurgaon and is to be performed within the jurisdiction of Courts at Rajasthan. Clause 1.2 of the Work Order would also give jurisdiction to the Courts of Rajasthan.

5. In view of the above, the present petition is dismissed giving liberty to the petitioner to file the same before the Court of competent jurisdiction.

NAVIN CHAWLA, J

NOVEMBER 02, 2018

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