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

+ W.P.(C) 10580/2018

SHIVGARH FILLING CENTRE Petitioner
Through Mr. Kislay Panday, Advocate.

versus

INDIAN OIL CORPORATION LIMITED Respondent
Through Ms. Mala Narayan & Ms. Neha Dawar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

05.10.2018

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The present writ petition does not contain any paragraph relating to territorial jurisdiction.

2. The petitioner herein is located at Allahabad and is doing business from Sonbhadra, Uttar Pradesh. There are allegations against M/s Shriram Filling Center, who is also located at Allahabad. It is noted that M/s Shriram Filling Center has not been impleaded as a party.

3. Annexures enclosed with the writ petition indicate that the correspondence was exchanged with the office of the Indian Oil Corporation Limited, Allahabad.

4. Learned counsel for the writ petitioner seeks permission to withdraw the present writ petition with liberty to file a fresh writ petition. He states that he would examine the issue and question of cause of action and the

jurisdiction/forum conveniens.

5. The writ petition is dismissed as withdrawn with liberty as prayed for.
6. We clarify that in case a fresh writ petition is filed in this Court, the issue of territorial jurisdiction would be examined.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

OCTOBER 05, 2018
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