



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

307

**CR-3499 of 2024 (O&M)
Date of Decision:05.09.2024**

Toppan Speciality Films Private Limited**....Petitioner(s)****Versus****Mr. Piyush Roy****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Amar Vivek Aggarwal, Advocate, with
Mr. Surjeet Kumar, Advocate,
for the petitioner.

Mr. A. M. Punchhi, Advocate, with
Mr. Anupam Bansal, Advocate,
for the respondent.

DEEPAK GUPTA, J. (Oral)

1. The only contention raised by learned Senior Counsel appearing on behalf of the petitioner is that in case the suit filed by the petitioner-plaintiff was not maintainable on the ground of bar of territorial jurisdiction, the plaint should have been returned and should not have been rejected as has been done by the learned trial Court by way of impugned order dated 13.05.2024. Learned counsel also draws attention towards the status which is uploaded on the website of the Court, which indicated that plaint had been returned and it is only after getting certified copy that the petitioner-plaintiff came to know that in fact the plaint had been rejected.

2. Learned counsel for the respondent fairly conceded that since the
plaint has been rejected on the ground of bar of territorial jurisdiction so it
should have been returned and not rejected.

3. In view of the fair admission made by learned counsel for the
respondent and as per the legal position also, the present petition is hereby
accepted and the order impugned in the present petition is set aside. The trial
Court is directed to return the plaint to the petitioner-plaintiff for presenting it
before the appropriate Court.

(DEEPAK GUPTA)
JUDGE

September 05, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No