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

+ **W.P.(C) 7958/2022**

**M/S Y.K. AGROTECH PVT. LTD.**

..... Petitioner

Through: **Mr. Saurabh S. Sinha, Advocate.**

versus

**UNION OF INDIA AND ORS.**

..... Respondents

Through: **Mr. Satish Kumar, Advocate for R-2.**

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

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**02.07.2024**

**CM APPL. 36122/2024 (on behalf of the Petitioner seeking permission to withdraw the writ petition with liberty)**

1. The National Horticulture Board/ Respondent No.2 have, in their counter affidavit, raised an objection regarding the lack of territorial jurisdiction of this Court to entertain the present petition. In light of the said objection, the Petitioner has filed the above captioned application seeking withdrawal of the present petition with liberty to approach the High Court of Jammu and Kashmir and Ladakh.
2. Mr. Satish Kumar, counsel for the Respondent No.2, points out that no action is permissible in light of the fact that earlier writ petition was dismissed as withdrawn against the Petitioner. Nonetheless, without prejudice to his rights and contentions, he has no objection to the request made in the instant application.
3. Accordingly, the application is allowed and disposed of.



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4. The present writ petition is dismissed as withdrawn with liberty to the Petitioner to approach the High Court of Jammu and Kashmir and Ladakh on the same cause of action as urged in the present petition. Needless to say, that Court has not commented on the maintainability of the proposed petition. As and when the said petition is filed, the same shall be considered on its own merits in accordance with law.

5. The next date of hearing, i.e., 16<sup>th</sup> August, 2024 stands cancelled.

**SANJEEV NARULA, J**

**JULY 2, 2024**

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