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

+ **W.P.(C) 10153/2023**

THE PRESIDIUM SCHOOL OF PATNAPetitioner

Through: Mr. Mayank Manish, Adv. with Mr.
Ravi Kant, Advs.

Versus

CENTRAL BOARD OF SECONDARY EDUCATION

.....Respondent

Through: Mr. M.A. Niyazi, SC for CBSE with
Ms. Anamika Ghai Niyazi, Ms. Kirti
Bhardwaj and Mr. Arquam Ali, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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04.11.2024

1. The petitioner-School intends to operate in Sr. Secondary level education sector and therefore, has sought for an affiliation from the CBSE.
2. Admittedly, the petitioner intends to set up an educational institution outside the territorial jurisdiction of this Court.
3. Merely because the respondent's office is situated in Delhi, the Court at Delhi would not be construed to be the Court of appropriate jurisdiction when the integral, essential and material cause of action has arisen elsewhere, and the consequences thereto, will also be felt outside the territorial jurisdiction of this Court.
4. This Court has considered various aspects relating to invocation of doctrine of *forum non-coveniens* and *dominus litis*. Reference can be made to some of the decision rendered by this Court in the following matters:-



<u>Date of Order</u>	<u>Cause Title</u>	<u>Place where material Cause of Action arose</u>	<u>Respondent-Authority</u>
02.09.2024	W.P.(C) 12041/2024 <i>Smt. Manjira Devi Ayurveda Medical College And Hospital v. Uttrakhand University of Ayurveda & Ors.</i>	Uttrakhand	Uttrakhand University of Ayurveda
05.09.2024 Division Bench	LPA 894/2024 <i>Smt. Manjira Devi Ayurveda Medical College And Hospital v. Uttrakhand University of Ayurveda & Ors.</i>	Uttrakhand	Uttrakhand University of Ayurveda
18.09.2024	W.P.(C) 12049/2024 <i>Michael Builders and Developers Pvt. Ltd. v. National Medical Commission and Ors</i>	Tamil Nadu	The Indian Nursing Council
07.10.2024	W.P.(C) 14153/2024 <i>Aryans College of Education v. National Council For Teacher Education and Anr</i>	Punjab	National Council For Teacher Education
08.10.2024	W.P.(C) 14233/2024 <i>Shri Siddhi Vinayak Medical College and Hospital Sambhal, U.P. v. Union Of India and Anr</i>	Uttar Pradesh	National Medical Commission
14.10.2024	W.P.(C) 13570/2024 <i>Shinde Institute of Pharmacy and Research v. Pharmacy Council of India</i>	Maharashtra	Pharmacy council of India
14.10.2024	W.P.(C) 11627/2024 <i>Sun Private Iti v. Directorate General Of Training</i>	Madhya Pradesh	Directorate General Of Training
14.10.2024	W.P.(C) 12424/2024 <i>Sri Guru Nanak Dev Institute Of Pharmacy v. Pharmacy Council Of India</i>	Uttar Pradesh & Haryana	Pharmacy Council Of India
14.10.2024	W.P.(C) 13601/2024 <i>Dr. Yash Jain v. Union Of India & Ors</i>	Bihar	National Medical Commission
14.10.2024	W.P.(C) 13874/2024 <i>Laxmi Private Iti v. Directorate General Of Training</i>	Madhya Pradesh	Directorate General Of Training



15.10.2024	W.P.(C) 9525/2024 <i>St. John College Of Nursing And Paramedical V. Pharmacy Council Of India</i>	Uttar Pradesh	Pharmacy Council Of India
15.10.2024	W.P.(C) 13776/2024 <i>Pkg Medical College & Hospital v. Union Of India</i>	West Bengal	National Medical Commission
21.10.2024	W.P.(C) 9232/2024 <i>Aishwarya College Of It And Masnagement v. All India Council For Technical Education</i>	Rajasthan	All India Council for Technical Education
21.10.2024	W.P.(C) 12008/2024 <i>Smt. Gomti Smarak Vigyan Mahavidyalaya v. National Council For Teacher Education And Anr</i>	Uttar Pradesh	National Council for Teacher Education

5. Accordingly, the doctrine of *forum non conveniens* stands attracted and the Court declines to entertain the instant writ petition and instead grants liberty to approach the jurisdictional High Court.

6. The petition is dismissed with all rights and contentions of the parties, left open.

PURUSHAINDRA KUMAR KAURAV, J.

NOVEMBER 4, 2024

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