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

+ **FAO (COMM) 154/2022**

ANSHUL GOELAppellant

Through: Mr. Rohit Modi, Adv.

versus

M/S IFB AGRO INDUSTRIES LIMITED

& ORS.Respondents

Through: Mr. Gaurav Gupta & Mr.
Siddharth Dewalwar, Advs.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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05.11.2024

1. The appeal is directed against the order passed on an application moved by the respondents/defendants under Order VII Rule 10 of the Code of Civil Procedure, 1908 [**CPC**].
2. Undisputedly, the agreement in question incorporated an exclusive jurisdiction clause and which becomes apparent from a reading of Clause 30. The Trial Judge has taken note of the fact that while ordinarily it could have been contended that a part of the cause of action had arisen in Delhi, in light of the exclusive jurisdiction which parties agreed to confer upon courts at Kolkata, the plaint was liable to be returned.
3. While learned counsel appearing for the appellant has sought to contend that the conferment of jurisdiction on courts in Kolkata was with reference to the Indian Penal Code, 1860 [**IPC**] we find no merit in that contention, since undisputedly there can be no contract for conferral of jurisdiction in respect of crimes and the provisions



which are contained in the IPC.

4. We, consequently, find no merit in the appeal. The same shall stand dismissed.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

NOVEMBER 5, 2024

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