

varsha

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 159 OF 2025

Airnov India Limited ... Applicant

vs.

Ketan Hasam Premani and Ors ... Respondents

Mr. Anindya Basarkod a/w. Naren Nimbalkar i/b. Khaitan & Co., for
Applicant.

Mr. Mahesh Vishwakarma for Respondent No.1.

CORAM : GAURI GODSE, J.

DATED : 9th JUNE 2025

ORDER:

1. This petition is filed by the defendant to challenge the order rejecting the application under Order VII Rule 10 of the Civil Procedure Code, 1908 ('CPC') to return the plaint presented before the court having territorial jurisdiction.
2. Learned counsel for the petitioner submits that in the first employment contract, the parties have agreed to the exclusive jurisdiction of the courts in Mumbai and in the second contract the parties have agreed that the agreement would be governed by the exclusive jurisdiction of the Indian courts. He further submits that the pleadings in the plaint refer to part of the cause of action arising

within the jurisdiction of Mumbai and part of the jurisdiction arising within the local jurisdiction. He therefore submits that the civil court at Navi Mumbai will not have territorial jurisdiction. With reference to the reasons given in the impugned order, learned counsel for the petitioner submits that the application is rejected on the ground that part of the cause of action has arisen within the jurisdiction of the local court. He submits that the agreement between the parties regarding the exclusive jurisdiction of the court is completely ignored while rejecting the application. He therefore submits that the impugned order would require consideration by this court.

3. I have perused the papers of the revision application. The suit is filed to challenge the plaintiff's termination with a further prayer for compensation and damages for wrongful termination. Thus, substantial prayer in the suit is for declaration as well as compensation and damages. The plaintiff has pleaded that the entire cause of action has arisen within the limit of local jurisdiction of Navi Mumbai. The pleadings indicate certain incidents occurred within the Mumbai jurisdiction. Thus, based on the averment in paragraphs 41 and 47, the plaintiff has pleaded that the court at Navi Mumbai has jurisdiction to entertain the suit.

4. A perusal of the impugned order indicates that all the relevant

pleadings with regard to the cause of action arisen within the local jurisdiction are considered by the court. The court has referred to the registered address of defendant no.1 company and the averment regarding the cause of action that arose within the jurisdiction of the court.

5. In view of Sections 19 and 20 of the CPC, the reasons recorded in the impugned order cannot be faulted. Even if part of the cause of action arose within the local jurisdiction of the court, the suit instituted by the plaintiff is correctly instituted within the territorial jurisdiction. I do not find any illegality or perversity in the reasons recorded in the impugned order.

6. The revision application is devoid of any merits. Hence, Civil Revision Application is dismissed.

(GAURI GODSE, J.)