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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 479/2025, CM APPL. 14731/2025 & CM APPL. 14732/2025
M/S AJMANI INTERNATIONAL SCHOOLPetitioner

Through: Mr. Advait Ghosh with Mr. Syed, Ms.
Mrunal and Mr. Prathiv Ghosh,
Advocates,

versus

M/S KCUBES & ANR.Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **01.05.2025**

1. Learned counsel for petitioner submits that the impugned order was passed by the learned Trial Court, on the basis of his application moved under Order VII Rule 10 CPC and if the issue of territorial jurisdiction is raised before the learned Trial Court during the trial, it may, at least, be requested to consider the same, without being influenced by the observations contained in order dated 24.01.2025.
2. It is noticed that the learned District Judge (Commercial) has already observed that for the purposes of deciding territorial jurisdiction, the averments made in the plaint are to be accepted and such aspect can always be controverted, during the trial.
3. That being so, it is always open to defendant, within the prescribed legal parameters, to take any such objection and, in case, any such objection is taken or issue is raised, learned Trial Court may consider the same, without being influenced by its order dated 24.01.2025.
4. In view of above, the petitioner does not press the present petition.
5. Petition stands dismissed as withdrawn.

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6. Pending applications, if any, stands disposed of.

MANOJ JAIN, J

MAY 1, 2025/ sw/SS