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

+ **CM(M) 2793/2024 & CM APPL. 35164/2024**

VICHITRA PRESTRESSED CONCRETE UDHYOG PVT LTD

.....Petitioner

Through: Mr. Prem Garg, Mr. Raghuvir Singh
and Mr. Rinky Singhal, Advocates

versus

RAJESH KUMAR JAIN & ANR.

.....Respondents

Through: Mr. Amardeep Maini, Advocate

+ **CM(M) 2794/2024 & CM APPL. 35166/2024**

VICHITRA PRESTRESSED CONCRETE UDHYOG PVT LTD

.....Petitioner

Through: Mr. Prem Garg, Mr. Raghuvir Singh
and Mr. Rinky Singhal, Advocates

versus

NARESH CHAWLA & ANR.

.....Respondents

Through: Mr. Amardeep Maini, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **18.11.2025**

1. Petitioner/defendant has assailed dismissal of application under Order VII Rule 11 CPC. The said application was filed, alleging that the Delhi Court does not have territorial jurisdiction to try the suit. It is contended by learned counsel for petitioner/defendant that on ground of territorial jurisdiction, even rejection of plaint can be sought. *Prima facie*, I am unable to accept this argument. However, learned counsel needs time to



address in detail with case law. Further, paragraph 14 of the plaint clearly describes the necessary pleadings. At the same time, it is also the case of the respondents/plaintiffs that balance confirmation was signed in Delhi.

2. At this stage, on instructions of his clients, learned counsel for petitioner seeks permission to withdraw both these petitions with liberty to file an application before the learned trial court for framing an additional issue as regards territorial jurisdiction of the learned trial court so that the issue be decided after evidence is adduced by both sides.

3. Accordingly, both these petitions and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

NOVEMBER 18, 2025/as