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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1568/2025, CM APPL. 51579/2025, CM APPL. 51580/2025
& CM APPL. 51581/2025
M/S BAJAJ KAGAJ LTD.Petitioner

Through: Mr. Kapil Midha, Mr. Aditya
Parashar, Mr. Garv Hari Singh, Ms.
Muskaan Garg, Advs.

versus

M/S M.L.J. AND SONSRespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
21.08.2025

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1. After hearing arguments for some time, learned counsel for petitioner, without prejudice to its rights and contentions, does not press the present petition. He, however, submits that it may be clarified that the impugned order is merely based on averments appearing in the plaint and would not influence the mind of the learned Trial Court at the stage of final adjudication. He also seeks liberty to move appropriate application before the learned Trial Court treating the territorial jurisdiction issue, which has already been framed, as a preliminary issue.

2. Learned Trial Court has framed issue No.1 as “*Whether this Court has no territorial jurisdiction to entertain the present suit? Onus upon the parties*”.

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3. In view of above, the present petition is dismissed as not pressed. All rights and contentions of the parties are reserved.
4. It is clarified that the impugned order dated 21.07.2025 is based on taking a *prima facie* view of the averments appearing in the plaint and would not govern the final outcome of the case.
5. We entirely leave it to the petitioner herein to move any such application seeking to plead the abovesaid issue as a preliminary issue and, as and when, any such application is moved, it would be entirely upto the learned Trial Court to decide the same in accordance with law.
6. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

AUGUST 21, 2025/ck/js