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

+ **W.P.(C) 1796/2026**

RADHEY SHYAM YADAV

.....Petitioner

Through: Mr. Abdul Wahid Mashaal, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr Jagdish Chandra (CGSC), Ms
Aishwarya Sinha (GP), Ms Maanya
Saxena, Advs. for UoI.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **09.02.2026**

CM APPL. 8701/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 1796/2026

1. The petitioner had approached this Court ostensibly on the ground that the decision in question had been taken by the Government of India in Delhi. However, it cannot be said to be a material, integral or essential part of the cause of action.
2. The petitioner was appointed by the Government of India as a Notary at Tehsil Thakurdwara, District Moradabad, Uttar Pradesh for the period of five years. The renewal for the petitioner's license had taken place, which entitled him to practice within the area in the State of Uttar Pradesh. The



petitioner neither has practised within the jurisdiction of this Court nor is entitled to discharge his function here. His entire area of practise is outside the jurisdiction of this Court. Merely because the respondents' office is situated in Delhi should not be the reason to entertain the instant petition.

3. The Supreme Court in the case of ***Kusum Ingots & Alloys Ltd. v. Union of India and Anr.***,¹ has held that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of forum conveniens. The material portion of the aforementioned decision reads as under:

“Forum conveniens

30. We must, however, remind ourselves that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of forum conveniens. [See Bhagat Singh Bugga v. Dewan Jagbir Sawhney [AIR 1941 Cal 670 : ILR (1941) 1 Cal 490] , Madanlal Jalan v. Madanlal [(1945) 49 CWN 357 : AIR 1949 Cal 495] , Bharat Coking Coal Ltd. v. Jharia Talkies & Cold Storage (P) Ltd. [1997 CWN 122] , S.S. Jain & Co. v. Union of India [(1994) 1 CHN 445] and New Horizons Ltd. v. Union of India [AIR 1994 Del 126] .]”

4. Thus, in light of the facts and circumstances of the instant case, and the law discussed above, the present petition is dismissed for want of jurisdiction. The petitioner is at liberty to take appropriate recourse in accordance with law, before a Court of competent jurisdiction. If the

¹ (2004) 6 SCC 254.



petitioner so desires shall be at liberty to pursue his pending representation.

PURUSHAINdra KUMAR KAURAV, J
FEBRUARY 9, 2026/P/MJ