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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M)-IPD 10/2025 & CM 74/2025**
SEEMA GUPTA PROPRIETOR OF KRISHNA INDUSTRIES

.....Petitioner

Through: Mr. Vishwendra Verma, Mr. Rajat Girdhar, Ms. Shivali, Mr. Abhedya S. Verma, Ms. Ekta Tomar and Mr. Abhishek, Advocates.

versus

KISAN IRRIGATION AND INFRASTRUCTURE LTD

.....Respondent

Through: Mr. Sudarshan Kumar Bansal, Mr. Arpit Dudeja and Ms. Nishtha Kapoor, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
10.04.2026

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1. This petition is filed by the Petitioner under Article 227 of the Constitution of India laying challenge to impugned order dated 07.01.2025 passed by the learned District Judge (Commercial Court)-02, Patiala House Court, New Delhi, whereby application filed by the Defendant/Petitioner herein under Order VII Rule 11 CPC has been dismissed.
2. Respondent herein filed the suit for infringement of trademark and passing off against the Petitioner herein, in which the Petitioner filed an application under Order VII Rule 11 CPC for rejection of the plaint. Be it noted that though the application is titled as one under Order VII Rule 11 CPC, in fact, the only ground urged is lack of territorial jurisdiction of the



Court and hence, the prayer was essentially for return of the plaint. The learned District Judge has dismissed the application basis the averments in the plaint on a mere demurrer and held that at this stage no ground was made out for return of plaint.

3. After some arguments, Mr. Vishwendra Verma, on instructions, seeks to withdraw the petition with liberty to raise the objection of territorial jurisdiction at the appropriate stage.

4. Without going into the merits of the case, this petition is disposed of as withdrawn along with pending application with liberty as prayed for, in accordance with law.

JYOTI SINGH, J

APRIL 10, 2026/AK