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

+ **CS(COMM) 27/2022 & I.A. 35442/2024, I.A. 38767/2024**

CHANGSHA SINOCARE INC

.....Plaintiff

Through: Mr. Pramod Kumar Singh, Mr.
Armaan Bhardwaj and Ms. Shreya
Sharma, Advocates

versus

RAJESH KUMAR

.....Defendant

Through: Mr Gaurav Gupta, Mr. Thakur Ankit
Singh, Ms Rupal Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

09.04.2026

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I.A. 35442/2024

1. The present application under Order VII Rule 10 read with Section 151 of the Civil Procedure Code, 1908 has been filed by the Defendant seeking return of the plaint on the ground of territorial jurisdiction.
2. The instant Suit is one for recovery of Rs. 3,45,79,969.00/-.
3. Material on record indicates that the Defendant had placed a Purchase Order for supply of medical equipment on the Plaintiff which is situated in China. The Purchase Order indicates that the purchase was placed from Punjab to China.
4. It is the case of the Plaintiff that the Defendants have failed to comply with their obligations and the amount is due and payable under the Purchase Order.



5. The instant Suit has been filed in this Court.
6. Though an application being I.A. 12661/2023 under Section 8 of the Arbitration and Conciliation Act, 1996 had been filed by the Defendant, the same was withdrawn.
7. Learned Counsel for the Plaintiff seeks permission to withdraw the instant Suit with liberty to take such steps as may be available to the Plaintiff in accordance with the law.
8. As and when such steps are taken, it is open for the Plaintiff to present the matter before the Competent Court to decide the said issue subject to Section 14 of the Limitation Act.
9. With these observations, the application is allowed.
10. Accordingly, the Suit is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

APRIL 09, 2026

Prateek