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

\+ W.P.(C) 12331/2025, CAV 308/2025 & CM APPL. 50248/2025

TV VISION LIMITED .....Petitioner

Through: Mr Rajat Joneja with Mr Varun Garg, Mr prashant Jain & Ms Komal Bihani, Advocates.

versus

HATHWAY DIGITAL LIMITED & ANR. .....Respondents

Through: Mr. Swapnil Gupta with Mr. Harshit Gupta, Advs.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% 25.03.2026

1. The material, integral and essential part of cause of action has arisen outside the jurisdiction of this Court. The part of cause of action may have arisen in Delhi, however, the same should not be the sole factor to entertain the present petition. The Supreme Court in the case of ***Kusum Ingots & Alloys Ltd. v. Union of India and Anr., (2004) 6 SCC 254***, has held 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*

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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] .]"

2. At this stage, learned counsel appearing for the petitioner seeks permission to withdraw the present petition with liberty to approach the jurisdictional High Court.

3. Accordingly, the writ petition is dismissed as withdrawn with liberty as prayed for. Pending applications also stand disposed of.

4. All rights and contentions of the parties are left open.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 25, 2026
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