



\$~57, 61, 69 & 77 to 84.

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

+ W.P.(C) 13610/2025 & CM APPL. 55816/2025

SAKSHAM HOSPITAL AND ORS

.....Petitioners

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Dr. Abhishek Atrey, Mr.Navneet
Gupta advocates for State of
Uttarakhand.

61

+ W.P.(C) 16170/2025 & CM APPL. 66204/2025

TANAY SOLAR SOLUTIONS LLP & ORS.

.....Petitioners

Through: Appearance not given.

versus

**THE SECRETARY DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE & ORS.**

.....Respondents

Through: Dr. Abhishek Atrey, Mr.Navneet
Gupta advocates for State of
Uttarakhand.

Mr Nitinjya Chaudhry CGSC with Mr
Rahul Mourya Adv for R-3.

69

+ W.P.(C) 1249/2026, CM APPL. 6202/2026 & CM APPL. 6203/2026

PARLE AGRO PRIVATE LIMITED AND OTHERS

.....Petitioners

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.



versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Ms. Saumya Tandon, CGSC with Mr.
Gaurav Singh Sengar, Adv for R-1.

77

+ W.P.(C) 9344/2023

BHAGWANPUR INDUSTRIES ASSOCIATION REGD

.....Petitioner

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Ashish K Dixit CGSC with Mr.
Umar Hashmi adv Mr Gautam Yadav
Ms Iqra Sheikh, Adv.
Dr. Abhishek Atrey, Mr.Navneet
Gupta advocate for State of
Uttarakhand.

78

+ W.P.(C) 14360/2024 & CM APPL. 60116/2024

SMAU INTERNATIONAL INDUSTRY AND TRADE
CHAMBERS AND OTHERS

.....Petitioner

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.

versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Mr Ripudaman Bhardwaj CGSC with
Mr Amit Kumar Rana Adv.

79

+ W.P.(C) 15370/2024, CM APPL. 64449/2024 & CM APPL.



64450/2024

M/S SUN LAYER ENERGY PVT. LTD.

.....Petitioner

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Appearance not given.

80

+ W.P.(C) 6938/2025 & CM APPL. 31423/2025

MULTITECH INFRACON PVT LTD AND OTHERS

.....Petitioner

Through: Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Advs.

versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Mr. Shashank Dixit, Mr. Kunal Raj,
Advs. for R-1.

Dr. Abhishek Atrey, Mr.Navneet Gupta
advocates for State of Uttarakhand.

81

+ W.P.(C) 9014/2025 & CM APPL. 38406/2025

HIMALAYA ISPAT PRIVATE LIMITED

.....Petitioner

Through: Mr. Animesh Kumar, Mr. Nishant
Kumar, Dr. Sumit Kumar advocates.

versus



UNION OF INDIA & ORS.

.....Respondents

Through:

Mr. Siddhartha Shankar Ray, CGSC,
Ms. Sonali Modi, Mr. Mukul Dev,
Advocates.

Dr. Abhishek Atrey, Mr. Navneet
Gupta advocates for State of
Uttarakhand.

82

+ W.P.(C) 9520/2025 & CM APPL. 40217/2025

M/S TARAI GOLD CHEMICALS (P) LTD. AND ORS.

.....Petitioner

Through:

Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through:

Mr. Nishant Gautam CGSC Ms.
Kavya Shukla Adv. Mr. Vineet Negi
Adv. Mr. Vibhav V. Nath Adv. Ms.
Theresa Adv.

Mr. Siddhartha Shankar Ray, CGSC,
Ms. Sonali Modi, Mr. Mukul Dev,
Advocates.

83

+ W.P.(C) 9544/2025 & CM APPL. 40265/2025

M/S FUSION INDUSTRIES LTD.

.....Petitioner

Through:

Mr. Jasbir Singh Malik with Ms.
Nitika Dubey and Ms. Prachi Sohi,
Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through:

Mr. Vikrant Nilesh Goyal, Mr. Yash



Basoya, Mr. Inderpreet Singh, Adv.
Dr. Abhishek Atrey, Mr. Navneet
Gupta advocates for State of
Uttarakhand.

84

+ W.P.(C) 4182/2026, CM APPL. 20437/2026 & CM APPL.
20438/2026

SKYMAP PHARMACEUTICALS PVT. LTD.Petitioner

Through: Mr. Jeetender Gupta, Mr Kushagra
Gupta, Mr. Abhay Saran, Advocates.

versus

UNION OF INDIA AND ANOTHERRespondents

Through: Mr. Gaurav Barathi SPC -UOI, Mr
Chirantan Priyadarshan, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **15.04.2026**

(The matter has been taken up today, as 14.04.2026 was declared as a holiday on account of birthday of Dr. B.R. Ambedkar.)

1. The petitioners in these petitions operate industrial units in the State of Uttarakhand, and the primary prayers are for directions to respondents to grant benefits promised to industrial units under the Industrial Development Scheme for the States of Himachal Pradesh and Uttarakhand, 2017 (Scheme) issued by the Central Government.

2. In all these cases, the Court is of the considered opinion that the material, integral and essential part of cause of action has arisen outside the



jurisdiction of this Court, and at the place where the units in question are situated.

3. At the outset, it is seen that the Scheme does not have any application within the territorial jurisdiction of this Court. Further, the application process for registration under the Scheme is an online process, and all compliances to be made by applicants thereunder, relate back to the States of Uttarakhand and Himachal Pradesh.

4. The only reason the jurisdiction of this Court seems to have been invoked is the *situs* of the Central Government in New Delhi. While the impugned action has been taken within the territorial jurisdiction of this Court, the same is only a part of the cause of action. The mere factum of the Scheme being issued by the Central Government, should not be the sole factor to entertain the writ petition by this Court.

5. In some of the cases, even the petitioners' head offices are in Delhi. However, the same too, would not alter the position insofar as the material part of the cause of action is concerned. The dominant factor would be the place where the units are situated i.e., in Uttarakhand.

6. The Court in ***Indure Pvt. Ltd. v. Government of NCT of Delhi and Ors.***¹ in paragraphs 36 to 38 has held as under:

“36. A petitioner who approaches this Court to assail a decision of an authority situated in Delhi, when the underlying cause for the said decision lies elsewhere, effectively attempts to make this High Court a mini-pan-India Superior Court exercising jurisdiction over all events which take place throughout this Country. There is no gainsaying with the proposition that every High Court is competent to adjudicate upon a lis which arises from events or actions taking place within its territory. Merely because the ultimate order, which is based on events taking place outside Delhi and takes cognizance of actions outside of Delhi, is passed within the jurisdiction of this Court, a writ petition ought not be

¹ 2026:DHC:1605



entertained by this Court.

37. Naturally, being the capital of the Country, various authorities and bodies having pan-India jurisdiction would be located within the jurisdiction of this Court. Merely because the decision making authority happens to be in Delhi, ought not to be the sole reason to entertain a lis in this Court. The decision, no doubt, may be passed in the national capital, but it is usually against persons situated outside Delhi; and even more importantly, for actions which took place beyond the borders of this Court. The act of giving a hearing in Delhi, or the passing of an order in Delhi, is merely a result of a body/authority being situated in the national capital, it has nothing to do with the lis, the offending action, the legal injury or the foundational facts on the basis of which action is being taken.

38. The case-law cited above, makes repeated reference to “dominant facts”, and facts which are “material, essential and integral” to the lis in question. In most cases, the fact that the order is passed, or the head office is located, or that opportunity of hearing was afforded, within the jurisdiction of this Court is completely immaterial, non-essential, and non-integral to the dispute in question. Any of the aforementioned three aspects could very well have taken place in another part of the Country, it is for the sole reason that Delhi is the national capital, that, in most cases these factors get connected to the jurisdiction of this Court. From another lens, it may be seen that regardless of what the underlying facts or legal injury/infringement may be, the order impugned would, in an overwhelming number of cases be passed from Delhi. If this be the case, can this constant factum, which shall remain present in each case, be considered a “dominant fact” or a “material, essential and integral” fact? The answer must be in the negative.”

7. In view thereof, the petitions stand disposed of. The petitioners shall be at liberty to approach the jurisdictional High Court.
8. Petitions stand disposed of.
9. All rights and contentions are left open.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 15, 2026/P