

04.02.2026

Present: Mr. Vikas Tiwari, Ld. Counsel for plaintiff through V.C.
Ms. Palak Agrawal, Ld. Counsel for plaintiff.

1. This case is at the stage of consideration for issuance of summons, particularly, on the point whether this Court has territorial jurisdiction to entertain this suit.

2. Today, Ld. Counsel for plaintiff has filed a compilation of supporting Judgments under an index.

3. Heard, perused and considered.

4. Plaintiff has filed this suit for recovery of loan advanced to the defendant. In para 24 of the plaint it has been stated that this Court has territorial jurisdiction because defendant's bank account wherein loan amounts were disbursed was being maintained and operated at a branch located within the territorial limits of this Court.

5. Ld. Counsel has placed strong reliance upon the Judgment of Delhi High Court in *ICICI Bank Ltd., v. K.P. Murgesan*, 2015 SCC OnLine Del 13321 and has contended that in the said Judgment, the Delhi High Court upheld the maintainability of a suit for recovery before a Court within the territorial limits of which the bank branch with which defendant was maintaining his account was located.

6. It is a settled law that the issue of territorial jurisdiction at pre-trial stage is to be decided with reference to averments/allegations made in the plaint, which in their entirety, are to be accepted as correct. Moreover, the objection to the territorial jurisdiction of a Court can be waived by the defendant. This case is at the stage of consideration only, wherein summons are yet to be issued. The Court, after hearing Ld. Counsel and upon considering the precedents relied upon, is *prima-facie* satisfied about territorial jurisdiction aspect of this Court.

7. Let summons for settlement of issues as per Order V Rule 9 of CPC, 1908 be issued to the defendant through ordinary service and RC/speed post, upon plaintiff taking steps within 7 days, returnable on 18.04.2026.

(Sachin Mittal)
DJ-03/South-East District
Saket Courts, New Delhi/04.02.2026