

Order below exhibit 10 & 1

1. The defendant has filed the present application under Order 7 Rule 10 of the C.P.C. requesting the court to return the plaint to be presented to the court having jurisdiction. It is the say of the defendant that the cause of action arose at Kavalka village of Kutiyana taluka of Porbandar District. The suit is filed in a different district. The defendant in the present matter is PGVCL who has local/branch office in Porbandar. PGVCL office at Porbandar is subordinate to the Office at Rajkot. The PGVCL office at Bantwa in Vanthali Taluka has nothing to do with the Porbandar's office. Hence, the suit ought to have been filed in the civil court of Porbandar having territorial jurisdiction over the Kavalka village of Kutiyana taluka, Porbandar where the cause of action arose.
2. The plaintiff's advocate has made an endorsement that he has no objection if the plaint is returned to be presented to the court having jurisdiction.
3. Looking to the provision of law, the cause of action for filing the suit has arisen in Kutiyana Taluka which is not within the territorial jurisdiction of this court. The defendant is a corporation and it has a local/branch office in the District of Porbandar. Hence, as per the provision of explanation appended to Section 20 of Code of Civil Procedure, this court is of the view that this court does not have territorial jurisdiction to entertain the present suit. Hence, following order is passed.

Order

- This court does not have jurisdiction to entertain the present suit.
- The plaint of the present suit, along with the court fee, is returned under Order 7 Rule 10 of the Code of Civil Procedure for being presented before the Court having jurisdiction.
- No order as to costs.

Pronounced in the open Court today on 23rd of July, 2026.

Date: 23/07/26

(Anubhav Pandey)
Principal Sr. Civil Judge,
Vanthali, Junagadh.

Code: GJ01133

Self.