



2026:DHC:6927

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

**CS(OS) 351/2024**

**SAMAR VIKRAM SINGH**

..... Plaintiff

Through: Mr. Samrat S. Karg & Ms.  
Meenakshi Ogra, Advs.  
(Mob.9999498955)

versus

**AMERICAN EXPRESS BANKING CORP & ANR.**

..... Defendants

Through: Mr. Suhail Sehgal & Mr.  
Prashant, Advs.  
(Mob.9582111448)

**CORAM:**

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA  
MAHENDRA, (DHJS)**

**ORDER**

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**21.05.2024**

**CS(OS) 351/2024 & IA 9982/2024 under Order XI R  
1(4) CPC moved by the plaintiff seeking leave to file  
additional documents and CAV 214/2024 filed by the  
defendants**

1. Learned counsel for the defendant has appeared on advance notice and is heard. Accordingly Caveat is discharged.

2. At the outset, it is pointed out by learned counsel for the defendants that in the first para of the plaint itself the plaintiff has averred that the plaintiff is seeking declaration against the defendant no.1 to the effect that the termination letter dated 04.02.2020 is illegal and arbitrary. However, in the prayer clause, the said declaration has not been sought by the plaintiff. At this stage, it is stated by learned counsel for the plaintiff that it is an inadvertent error and the plaintiff wants to restrict the present suit only to the prayers already sought in the present matter and does not want to seek any declaration. She further submits that she will file an appropriate application seeking amendment for



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the same within two weeks. Let needful be done as stated with copy to the opposite side.

2. At this stage, learned counsel for the defendant has vehemently opposed issuance of summons in the present matter on the ground of lack of territorial jurisdiction. He has heavenly relied on the judgment passed by the Hon'ble Delhi High Court in case ***“Unimers India Limited Vs. The IFCI Limited and Ors., Manu/DE/2289/2012”***. He submits that the entire cause of action, in the present matter, has arisen within the jurisdiction of Gurgaon (Haryana) and therefore, Delhi court has no territorial jurisdiction to entertain and try the present suit. On the other hand, learned counsel for the plaintiff has heavenly relied on para no.58 of the plaint to contend that this court has territorial jurisdiction to entertain and try the present suit.

3. In view of above and at the joint request, the matter may be placed before the Hon'ble Court on 18.07.2024, for further directions. However, it is made clear that the matter shall be placed before the Hon'ble Court on the said date only if the plaintiff carries out the necessary amendments in the plaint as per law before the date fixed before the Hon'ble Court failing which the matter shall be placed before this court on 18.07.2024.

**PRIYA MAHENDRA (DHJS)**  
**JOINT REGISTRAR (JUDICIAL)**

**MAY 21, 2024/ab**

[Click here to check corrigendum, if any](#)