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

+ **RFA(COMM) 371/2025 & CM APPL. 40703/2025**

DEVYANI FOOD INDUSTRIES LTD.APPELLANT

Through: **Mr. Puneet Bajaj, Adv.**

versus

SMITA IMPEXRESPONDENT

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **11.07.2025**

CM APPL. 40703/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

RFA(COMM) 371/2025

3. This is an appeal against rejection of the plaint of the petitioner for want of territorial jurisdiction.
4. Issue notice, returnable on 4 November 2025.
5. Notice may be served on the respondent by all modes as well as through Counsel who appeared on behalf of respondent before the learned Commercial Court.



6. Both sides are directed to place on record short notes of their respective submissions not exceeding five pages each after exchanging copies with each other at least a week in advance of the next date of hearing.

7. Re-notify on 4 November 2025.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JULY 11, 2025/an