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

+ W.P.(C) 14481/2025 and CM APPL. 59283/2025, CM APPL. 59286/2025

M/S P.S.T. ENGINEERING CONSTRUCTION THROUGH ITS
MANAGING PARTNERPetitioner

Through: Mr. Senthil Jagadeesan, Sr. Adv.,
with Ms. Suriti Chowdhary, Ms.
Abiha Zaidi, Mr. Pritam Raman
Giriya, Mr. Punit Agarwal, Ms.
Arushi, Ms. Tanya Sharma, Mr.
Bhumitra Dubey, Mr. Ashish Bainsla

versus

NATIONAL HIGHWAY AUTHORITY OF INDIA THROUGH ITS
CHAIRMAN & ANR.Respondents

Through: Mr. Santosh Kumar and Mr. Devansh
Malhotra Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **17.03.2026**

1. The entire genesis of the dispute lies outside the territorial jurisdiction of this Court. The work in question has been carried out in the State of Tamil Nadu.

2. This Court in the case of ***Meghalaya Oxygen Private Limited vs. Oil and Natural Gas Corporation Limited***¹, has held as under:

“5. Even assuming a part of cause of action has arisen within the

¹ WP(C) 2254/2025, Order dated 10.02.2026



jurisdiction of this Court, the same again cannot be the sole determinative factor to entertain the instant writ petition. The said position has been explained by the Supreme Court in Kusum Ingots & Alloys Ltd. v. Union of India & Anr (supra) which reads as under:

“30. We must, however, remind ourselves that even if a small part of casue of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinateive factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to excercise its discretionary jurisdiction by invoking the doctrine of forum conveniens.”

6. The Court has also taken the said position in LN Malaviya Infra Projects Pvt. Ltd. v. National Highway Authority of India & Ors. 6 Vide order dated 14.01.2026, this Court, upon consideration of the overall facts and circumstances, was pleased to dismiss the present petition on the ground of lack of territorial jurisdiction, while granting liberty to the petitioner to approach the jurisdictional High Court. It is a settled position of law, as held in Harshad Chiman Lal Modi v. DLF Universal Ltd., 7 that a Court cannot assume jurisdiction in respect of a matter over which it otherwise lacks jurisdiction merely on the basis of consent or agreement between the parties. The said principle stands further fortified by the judgment of the Hon’ble Supreme Court in Patel Roadways Limited v. Prasad Trading Company⁸ wherein it was categorically held that jurisdiction cannot be conferred upon a Court by agreement alone.”

1. This Court in another decision in the case of ***The Indure Pvt. Ltd. v. Government of NCT of Delhi***,², in paragraph no. 36 has taken the following position:

“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 entertained by this Court.”

² 2026:DHC:1605.



3. Learned counsel for the petitioner, therefore, prays for time to take instructions.

4. Acceding to the aforesaid prayer, the hearing stands adjourned till 25.03.2026.

PURUSHAINdra KUMAR KAURAV, J

MARCH 17, 2026

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