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

+ **CS(COMM) 697/2017**

MOTHER DIARY FRUIT & VEGETABLE PRIVATE LIMITED

..... Plaintiff

Through Ms.Nanki Arora with Mr.Shantanu
Malik, Advocates.

versus

**NALGONDA RANGAREDDY DISTRICT MILK PRODUCERS
MUTUALLY AIDED COOPERATIVE UNION LIMITED**

..... Defendant

Through Mr.Jaspreet Singh Kapur, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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01.02.2018

I.A.No.1501/2018

Present application has been filed under Order XIV Rule 5 CPC read with Section 151 CPC on behalf of the defendant praying for framing of an additional issue.

Issue notice.

Learned counsel for the plaintiff states that as the issues were framed on 04th January, 2017, no additional issues should be framed at this juncture.

A perusal of the present application reveals that the defendant is seeking framing of an additional issue with regard to jurisdiction of this Court in view of the judgment of the Supreme Court in **Indian**



Performing Rights Society Vs. Sanjay Dalia & Ors., (2015) 10 SCC 161.

In the opinion of this Court, no prejudice would cause to either of the parties if the aforesaid issue is framed.

Accordingly, the following additional issue is framed:-

*“Whether this Court has no territorial jurisdiction to try and entertain the present suit? **OPD**”*

MANMOHAN, J

FEBRUARY 01, 2018
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