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

+ **CM(M) 2025/2024**

MR. DHANESHWAR PASWAN Petitioner

Through: **Mr. Prabhat Chaurasia, Adv.**

versus

BHARTI AXA LIFE INSURANCE CO. LTD Respondent

Through: **Mr. Praveen Mahajan and Mr. Abhinav Chauhan, Advs.**

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

20.05.2024

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CM APPL. 30012/2024

1. The present application has been filed on behalf of the applicant/respondent for dismissal of petition on grounds of lack of the territorial jurisdiction.

2. Learned counsel for the applicant/respondent has challenged the territorial jurisdiction of this Court to entertain the main petition i.e., CM(M) 2025/2024.

3. Issue notice.

4. Learned counsel for the non-applicant/petitioner appears on advance notice and submits that he has instructions to withdraw the present petition with liberty to move before the appropriate forum within six weeks from today.

CM(M) 2025/2024

5. Learned counsel for the petitioner submits that the original complaint



was filed before the learned District Consumer Disputes Redressal Forum, Muzaffarpur [in short “District Forum”] and against that order appeal was filed before the learned State Consumer Disputes Redressal Commission, Bihar, Patna [in short “SCDRC”]. Thereafter a revision petition was moved against the order of learned SCDRC, Bihar, Patna before the learned NCDRC, which came to be dismissed vide the impugned order.

6. The learned counsel admits that the entire cause of action in the present case has arisen in Muzaffarpur except that the revision petition before the learned NCDRC filed in New Delhi. Moreover, in view of paragraphs 7, 8, 9 & 10 of the judgment of the Hon’ble Supreme Court in **Siddhartha S. Mookerjee & Anr. Vs. Madhab Chand Mitter & Anr.** [C.A. Nos. 3915-3916/2024], learned counsel seeks permission to withdraw the present petition with liberty to file before the appropriate forum within six weeks from today as per law.

7. Permission to withdraw with liberty as per law and as prayed for is granted.

8. Accordingly, the petition along with pending application stands disposed of.

9. The date already fixed i.e., 09.08.2024 stands cancelled.

SHALINDER KAUR, J.

MAY 20, 2024
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