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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM(M) 2046/2024**

IIFL SECURITIES LTD. (FORMERLY INDIA INFOLINE LTD.)  
AND ANR. ....Petitioner

Through: Mr. Devmani Bansal, Advocate  
(through VC).

versus

MAMTA TYAGI ....Respondent  
Through: Mr. Saurabh Kansal, Advocate  
(through VC).

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**  
**05.07.2024**

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**CM(M) 2046/2024 & CM APPL. 31172/2024(early hearing)**

1. The present petition has been filed under Article 227 of the Constitution of India challenging order dated 06.11.2022 passed by Hon'ble National Consumer Disputes Redressal Commission (in short 'NCDRC') in Revision Petition No. 4088/2009.
2. Admittedly, said Revision Petition had been filed before NCDRC impugning order dated 08.07.2009 passed by the State Consumer Disputes Redressal Commission, Uttarakhand, in First Appeal No. 144/2008.
3. Since the cause of action pertaining to the present subject matter has arisen within the jurisdiction of Uttarakhand, relying upon order dated 04.03.2024 passed by the Hon'ble Supreme Court in *Siddhartha S Mookerjee vs. Madhab Chand Mitter*, Civil Appeal Nos. 3915-16/2024, learned counsel for appellant prays that he may be permitted to withdraw the present petition with liberty to approach the jurisdictional High Court within six weeks from today.



4. This Court has gone through said order wherein also the Hon'ble Supreme Court has, very categorically, observed that merely because NCDRC had allowed revision petition, the jurisdiction would not vest with Delhi High Court and observing that since the cause of action had arisen in Kolkata and the matter had been dealt with by the State Commission of West Bengal, it was held that the jurisdiction of High Court of Calcutta should have been invoked.
5. The situation is precisely the same here, too.
6. It has also been submitted that in terms of the order passed by this Court on 06.03.2024, the petitioner has already deposited the principal amount with the concerned District Forum.
7. Such fact is not disputed even by learned counsel for respondent and, therefore, it is made clear that for a period of six weeks from today, the execution petition shall remain stayed.
8. The petition stands disposed of as withdrawn. Liberty, as prayed for, is granted.
9. It is, however, made clear that this Court has not expressed any opinion over the merits of the case.

**MANOJ JAIN, J**

**JULY 5, 2024/sw**