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

+ CM(M) 2136/2024, CM APPL. 16344/2024--stay

INDIAN RAILWAYS AND ORS

..... Petitioners

Through: Mr. Sanjib Kumar Mohanty, SPC
with Mr. Subesh Kumar Sahoo & Ms.
Anushka Jakhodia, Advs.

versus

SMT. UMA AGGARWAL

..... Respondent

Through:

**CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR**

ORDER

15.04.2024

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1. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 25.07.2023 passed by learned National Consumer Disputes Redressal Commission, New Delhi (hereinafter referred as 'NCDRC') in Revision Petition No.1099/2020 titled as "*Indian Railways & Ors. vs. Smt. Uma Agarwal*" whereby the learned NCDRC dismissed the revision petition which was preferred by the petitioners against the order dated 14.09.2020 passed in Appeal No.935/2019 by learned State Consumer Disputes Redressal Commissioner, Rajasthan (hereinafter referred as 'SCDRC').

2. Learned counsel for the petitioner submits that the original complaint was filed before the learned District Consumer Disputes Redressal Commission, Bikaner, Rajasthan, and against that order, an appeal was



preferred before the learned SCDRC which came to be dismissed by it vide the order dated 14.09.2020. Against the said order, a revision petition was moved before the learned NCDRC which was dismissed vide the impugned order.

3. After addressing some submissions, the learned counsel admits that the entire cause of action in the present case has arisen in Rajasthan and only the revision petition has been preferred before the learned NCDRC 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 move before the appropriate forum as per law within a period of four weeks.

4. In view of the above submissions, permission to withdraw with liberty as per law and as prayed for is granted.

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

SHALINDER KAUR, J.

APRIL 15, 2024

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