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

+ **CM(M) 2220/2024 & CM APPL. 18382-383/2024**

**PRABIN KUMAR BARDHAN**

..... Petitioner

Through: Mr. Navin Prakash & Mr. Ved Vyas  
Tripathi, Advs.

versus

**AJMERA HOUSING CORPORATION (BANGALORE) AND ANR**  
..... Respondent

Through:

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

**ORDER**

**10.04.2024**

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1. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 27.02.2023 passed by learned National Consumer Disputes Redressal Commission, New Delhi in Appeal No.203/2018 titled as "*M/s Ajmera Housing Corporation (Bangalore) & Anr. vs. Prabin Kumar Bardhan*" whereby the appeal has been allowed.
2. Learned counsel for the petitioner submits that the original complaint was filed before the learned State Consumer Disputes Redressal Commission, Bangalore, Karnataka and against that order appeal was moved before the learned NCDRC, vide which learned NCDRC allowed the appeal and set aside the order of the State Commission.
3. After addressing some submissions, the learned counsel admits that



the entire cause of action in the present case has arisen in State Commission, Bangalore, Karnataka and only the appeal 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 10, 2024**

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