



\$~8

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

+ **CM(M) 2340/2024**

**PARMATMA EK HOUSING DEVELOPER AND BUILDER AND
ORS** Petitioners

Through: Mr. Parveen Kumar Aggarwal, Adv.

versus

RAMSHANKAR KANHAIYALAL OMAR Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

%

07.05.2024

CM APPL. 21960/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2340/2024 and CM APPL. 21959/2024—stay

3. The present petition under Article 227 of the Constitution of India has been preferred impugning the order dated 08.02.2024 passed by learned National Consumer Disputes Redressal Commission, New Delhi in revision petition no. 1275 of 2022 titled as “*Parmatma Ek Housing Developer & Builder through Director / Manager & 2 Ors. vs. Ramshankar Kanhaiyalal Omar*” whereby the revision petition was dismissed.
4. Learned counsel for the petitioner submits that the original complaint was filed before the learned State Consumer Disputes Redressal Forum, Maharashtra. Thereafter, a revision petition was moved against the order of



learned SCDRC, Maharashtra before the learned NCDRC, which came to be dismissed vide the impugned order.

5. After addressing some submissions, the learned counsel admits that the entire cause of action in the present case has arisen in Maharashtra, 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 move before the appropriate forum within four weeks, as per law.

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

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

SHALINDER KAUR, J.

MAY 07, 2024/ss