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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 2351/2024

JANSEWA GRIHA NIRMAN DEVELOPERS AND BUILDERS

..... Petitioner

Through: Mr. Shreeyash U. Lalit, Adv.

versus

MR VIVEK BAPURAO DESHMUKH

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

16.04.2024

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CM APPL. 22137/2024—Exp.

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

CM(M) 2351/2024, CM APPL. 22138/2024--stay

3. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 04.05.2023 passed by learned National Consumer Disputes Redressal Commission, New Delhi [NCDRC] in Revision Petition No. 2030/2017 titled as “Jansewa Griha Nirman Developers & Builders vs. Vivek Bapurao Deshmukh” whereby the revision petition has been dismissed.
4. Learned counsel for the petitioner submits that the original complaint was filed before the learned District Consumer Disputes Redressal



Commission, Nagpur [DCDRC] and against that order appeal was filed before the learned State Consumer Disputes Redressal Commission, Maharashtra Nagpur Circuit Bench, Nagpur [SCDRC]. Thereafter a revision petition was moved against the order of learned SCDRC, Maharashtra Nagpur Circuit Bench 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 Nagpur except that the revision petition was filed 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.

6. In view of the above submissions, 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.

APRIL 16, 2024
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