



\$~60

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

+ **CM(M) 2375/2024**

BUNIYA DEVI CHAUHAN

..... Petitioner

Through: Mr. P.K. Singh and Mr. Ajit Singh,
Advs.

versus

THE GENERAL MANAGER, & ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

%

23.04.2024

CM APPL. 22979/2024—Exp.

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

CM(M) 2375/2024, CM APPL. 22980/2024—dir. To respondent to deposit money

3. The present petition has been filed under Article 227 of the Constitution of India impugning the order dated 03.01.2022 passed by learned National Consumer Disputes Redressal Commission, New Delhi [in short “NCDRC”] in First Appeal No. 1481 of 2016 titled as “THE GENERAL MANAGER & ANR. VS. BUNIYA DEVI CHAUHAN & ANR.” whereby the appeal filed by the respondents herein has been allowed.
4. Learned counsel for the petitioner submits that the original complaint was filed before the learned State Consumer Disputes Redressal



Commission, Maharashtra [in short “SCDRC”]. Thereafter a first appeal was moved by the respondents herein against the order of learned SCDRC, Maharashtra before the learned NCDRC, which came to be allowed 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 first appeal was filed before the learned NCDRC, 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 stands disposed of.

SHALINDER KAUR, J

APRIL 23, 2024
SU