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

% ***Date of decision: 31st July, 2024***

+ **CM(M) 2506/2024 & CM APPL. 26678/2024**

BANK OF BARODAPetitioner

Through: Mr. Kush Sharma with Mr. Nishchaya
Nigam, Advocates.

versus

SH LAKSHMAN SHETTYRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner Bank had filed a revision petition before Hon'ble NCDRC which was dismissed on 20.09.2023 on account of its repeated absence.
2. Petitioner Bank moved an application seeking restoration of the revision petition. However, such restoration application was also dismissed by Hon'ble NCDRC on 04.12.2023.
3. That is how the petitioner Bank is now before this Court by invoking Article 227 of the Constitution of India.
4. Since the entire cause of action pertaining to the present subject matter has arisen within the jurisdiction of Karnataka, relying upon order dated 04.03.2024 passed by the Hon'ble Supreme Court in *Siddhartha S Mookerjee vs. Madhab Chand Mitter*, Civil Appeal Nos. 3915-16/2024, learned counsel for appellant prays that he may be



permitted to withdraw the present petition with liberty to approach the jurisdictional High Court.

5. This Court has gone through said order which directs that merely because NCDRC was seized with the revision petition, the jurisdiction would not vest with Delhi High Court and observing that since the cause of action had arisen in Kolkata and the matter had been dealt with by the State Commission of West Bengal, it was held that the jurisdiction of High Court of Calcutta should have been invoked.

6. The situation is precisely the same here, too.

7. The petition stands disposed of as withdrawn. Liberty, as prayed for, is granted.

8. It is, however, made clear that this Court has not expressed any opinion, whatsoever, over the merits of the case.

(MANOJ JAIN)
JUDGE

JULY 31, 2024
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