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

% ***Date of decision' 08th July, 2024***

+ **CM(M) 2866/2024 & CM APPL. 37664/2024 & CM APPL. 37665/2024**

UPPAL HOUSING PRIVATE LIMITED

.....Petitioner

Through: **Mr. Ashsih Dholakia with Mr. Dheeraj Gupta, Ms. Ananya and Ms. Prerna, Advocates.**

versus

LATE JASWANT SINGH ARORA THROUGH HIS LRS

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The present petition has been filed under Article 227 of the Constitution of India. It seeks to assail order dated 06.12.2023 passed by the Hon'ble National Consumer Disputes Redressal Commission (in short 'NCDRC') in Appeal Execution No. 110/2021.
2. Admittedly, the Appeal Execution which had been filed before the Hon'ble NCDRC emanates from an order passed by the State Consumer Disputes Redressal Commission, UT, Chandigarh.
3. Since the entire cause of action pertaining to the present subject matter has arisen within the jurisdiction of Chandigarh, 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 within six weeks from today.

4. This Court has gone through said order wherein also the Hon'ble Supreme Court has, very categorically, observed that merely because NCDRC had allowed 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.

5. Petition is accordingly disposed of as not pressed. The petitioner is granted liberty to file appropriate petition under Article 227 before the jurisdictional High Court i.e. High Court of Punjab and Haryana in terms of aforesaid observations given by the Hon'ble Supreme Court in said case.

6. Order *dasti* under the signatures of Court Master.

(MANOJ JAIN)
JUDGE

JULY 8, 2024/sw