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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16169/2023 & CM APPL. 65027/2023**
ORIENTAL INSURANCE COMPANY LIMITEDPetitioner

Through: Mr. Abhishek K. Gola, Advocate.

versus

ARSS INFRASTRUCTURE PROJECT LTD.Respondent
Through: Mr. Gaurav Khanna, Mr. Rudraksh
Pandey, Mr. Gautam Barnwal, Ms.
Deepali Bhanot and Ms. Alisha R.,
Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
14.11.2024

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1. Through the instant writ petition, the Petitioner assails the common order/judgment of the National Consumer Disputes Redressal Commission¹ dated 31st March, 2023 passed in First Appeal Nos. 749/2020, 750/2020, 751/2020, 752/2020, 753/2020, 754/2020, 755/2020, 756/2020, 757/2020, 758/2020, 759/2020 and 760/2020, as well as the common order dated 21st January, 2020 passed by the State Consumer Disputes Redressal Forum, Odisha, Cuttack in Compliant Case Nos. 07/2014, 08/2014, 10/2014, 11/2014, 12/2014, 13/2014, 31/2014, 36/2014, 37/2014, 38/2014, 39/2014 and 43/2014.

2. At the outset, the Respondent has taken an objection regarding the territorial jurisdiction of this Court to entertain such a petition by placing

¹ "NCDRC"



reliance upon the Supreme Court's judgments in *Siddhartha S Mookerjee & Anr. v. Madhab Chand Mitter & Anr.* passed in Civil Appeal Nos. 3915-3916/2024 and *M/s Universal Sompo General Insurance Co. Ltd. v. Suresh Chand Jain & Anr.* passed in Special Leave Petition (Civil) No. 5263/2023. It is contended that the entire cause of action in the present case has arisen in Odisha, and the proceedings stem from an original complaint filed before the State Consumer Disputes Redressal Commission in Odisha. In view of the judgments rendered by the Supreme Court, it is argued that the mere fact that the present challenge is directed against an order of the National Commission in its appellate jurisdiction does not, by itself, justify invoking the jurisdiction of this Court.

3. In light of the above, counsel for Petitioner very fairly, states that he would like to withdraw the present writ petition with liberty to approach the appropriate high court. However, he requests that the interim stay order dated 15th December, 2023, granted in favour of the Petitioner, be extended for a limited period, to enable the Petitioner to approach the jurisdictional High Court for appropriate relief.

4. In view of the above, the present writ petition is dismissed as withdrawn with liberty aforesaid. It is further directed that the stay order dated 15th December, 2023, shall continue to operate for a period of four weeks from today.

5. All rights and contentions of the parties are left open. The stay order and the extension shall not be construed as an expression of its opinion on the merits of the case. This direction is issued only to enable the Petitioner to avail the appropriate legal remedy.



6. The writ petition along with pending application(s) is disposed of in above terms.

SANJEEV NARULA, J

NOVEMBER 14, 2024

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