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

+ **LPA 1143/2024**

PRADEEP KUMAR PADHYAppellant

Through: Appellant in person.

versus

NBCC INDIA LTD & ORS.Respondents

Through: Mr. Ravi K Chandna and Mr.
Malyaj Sehgal, Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **27.11.2024**

CM APPL. 68258/2024 (Delay in Refiling)

Bearing in mind the disclosures made, the delay in re-filing the appeal is condoned.

The applications shall stand disposed of.

LPA 1143/2024

1. The appellant who appears in person seeks to challenge the judgment handed down by the learned Single Judge on 22 May 2024 in terms of which a writ petition preferred by him has come to be dismissed. That writ petition had been preferred seeking the following reliefs:-

“1. To hold all 3 O.P (R1, R2 & R3) absolutely liable for this man-made disaster and compensation as per law for my lost opportunities & sufferings.

2. Regular job to Pushpita, my daughter who lost the job along with reputation & marriage proposals too with it for no fault of his but of O.Ps, especially O.P-1 (R1) or exemplary punishment.



3. To immediately give my past due rent that R1 gave all residents except me, differentiated. Subsequently 18% r.o.i am on it with enhanced rent till they give my flat back/a solution is reached.

4. R1 to pay back past Interest/EMI of my Home Loan with 18% r.o.i & R3 is to collect future EMI/Interest from R1 & STAY till then & pay fine. Pray to set an example to withhold the belief of people in the government institutions.”

2. The learned Single Judge has, however, noted that in respect of the same issues, the petitioner had also approached the National Consumer Disputes Redressal Commission [“NCDRC”] which was considering Consumer Complaint No. 1128/2017. That consumer complaint had come to be partly allowed with the NCDRC, directing the respondent, National Buildings Construction Corporation, to refund the entire amounts deposited by the complainants along with interest.

3. The learned Single Judge has further noted that the appellant was one of the complainants before the NCDRC. It is in the aforesaid backdrop that the Court had proceeded to observe that the appellant cannot initiate multiple proceedings in respect of the same cause of action.

4. We note that insofar as compensatory relief is concerned, that too was an issue which could have been duly canvassed for the consideration of the NCDRC.

5. In view of the above we find no justification to interfere with the view expressed by the learned Single Judge.

6. Although the appellant sought to contend before us that he was not a party before the NCDRC and that forgery had been committed, those are clearly not issues which can be canvassed before the writ court.



7. Subject to the aforesaid observations, the appeal shall stand dismissed.

YASHWANT VARMA, J.

DHARMESH SHARMA, J.

NOVEMBER 27, 2024/gunn