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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 1248/2024, CM APPL. 76325/2024, CM APPL. 76326/2024,
CM APPL. 76327/2024 & CM APPL. 76328/2024
JYOTI BUILDERSAppellant

Through: Mr. Samarat Nigam, Advocate
versus

LAXMIBAI MANGAL PAGE & ANR.Respondents
Through: Mr. Gautam Jha, Advocate for R-1.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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24.12.2024

1. The appellant has filed the present appeal impugning an order dated 12.12.2024 passed by this Court. The appellant had filed a writ petition being W.P.(C) 17194/2024 captioned *Jyoti Builders vs. Laxmibai Mangal Page & Anr. inter alia* seeking the following reliefs:-

“a) Allow the present Letters Patent Appeal against the Order dated 12.12.2024 passed by the Ld. Single Judge of this Hon’ble Court only to the extent for failure to grant ad-interim relief soughts in Writ Petition W.P.(C) 17194 of 2024.

b) Direct Respondent No.2 Commission to not take any action with respect to the Impugned Subject Complaints dated 26.12.2022 (Annexure P-2) & 24.04.2023 (Annexure P-27) of Respondent No.1 in Impugned Complaint Case No. NCST /DEV -1288 /MH /30 /2023- ESDW till final disposal of Writ Petition 17194 of 2024 filed by the Appellant before the Hon’ble High Court of Delhi;”

2. The appellant had also filed an application seeking interim relief of staying the proceedings before the respondent no.2/Commission in respect of complaints dated 26.12.2022 and 24.04.2023, which are impugned in the said petition.

3. The learned Single Judge passed an order issuing notice and further



issuing directions for completion of pleadings. However, no ad interim orders had been passed.

4. We find no infirmity with issuing the said order.

5. It is material to note that the appellant's prayer for seeking an ad interim relief is premised on the basis that the respondent no.2 does not have any jurisdiction to entertain the complaints. The appellant's grievance regarding the complaints is, *inter alia*, premised on the basis that the respondent no.1 (who was the complainant) had made 12 number of complaints in a single day before different authorities. The appellant contends that respondent no.2 has no jurisdiction to adjudicate the complaint as preferred.

6. It is not necessary for this court to address this contention, as the learned Single Judge is examining the appellant's petition. Further, the contention whether respondent no.2 does not have the jurisdiction to adjudicate the complaint is also, undisputedly, available to the appellant before respondent no.2/Commission as well.

7. In view of the above, we find no ground to interfere with the impugned order.

8. However, we clarify that all rights and contentions of the appellant are reserved. Nothing stated in this order would preclude the appellant from canvassing all contentions before the learned single Judge.

9. In view of the above, the appeal is disposed of.

VIBHU BAKHRU, ACJ

TUSHAR RAO GEDELA, J

DECEMBER 24, 2024/yrj

[Click here to check corrigendum, if any](#)