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

+ **CM(M) 56/2025**

JASPAL KAUR JOHAL AND ANRPetitioners

Through: **Mr. Saransh Kumar and Mr. Ish Chopra, Advocates.**

versus

M/S SHOURYA TOWERS PVT LTD AND ANRRespondents

Through:

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **14.01.2025**

CM APPL. 1874/2025 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CM(M) 56/2025 & CM APPL. 1875/2025 (permission to file lengthy synopsis and dates)

1. By virtue of the present petition under Article 227 of the Constitution of India, the petitioner challenges the final order and judgment dated 16.10.2024, passed by the National Consumer Dispute Redressal Commission ['NCDRC'], in First Appeal No. 823/2022.

2. Since the entire cause of action pertaining to the present subject matter has arisen within the jurisdiction of Punjab and Haryana High Court, relying upon the judgment dated 04.03.2024, passed by the Supreme Court in the case of **Siddhartha S Mookerjee & Anr. Vs. Madhab Chand**



Mitter & Anr in Civil Appeal Nos. 3915-16/2024, learned counsel for petitioner prays that petitioner may be permitted to withdraw the present petition with liberty to approach jurisdictional High Court.

3. The Court has gone through the above referred order, wherein the Supreme Court has very categorically observed that merely because NCDRC has allowed the petition, jurisdiction would not vest with the Delhi High Court and observing that since the cause of action has arisen in Kolkata and the matter has been finally dealt with the State Commission of West Bengal, it was held that jurisdiction of the High Court of Kolkata should have been invoked.

4. Delhi High Court also, vide judgment dated 02.09.2024, passed in **The General Manager Punjab National Bank and Ors. Vs. Rohit Malhotra** [2024 SCC Online Del 6145, observed that in view of the **Siddhartha S Mookerjee** (supra), any such petition should go to the jurisdictional High Court.

5. The aforesaid judgment has been applied by this Court in number of other cases as well.

6. The petition accordingly stands disposed of as withdrawn with liberty as prayed for,

7. It is, however, made clear that this Court has not adjudicated on the merits of the case whatsoever.

RAVINDER DUDEJA, J

JANUARY 14, 2025/vp