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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 22nd April, 2025***

+ CM(M) 2652/2024

COL. DALJIT SINGH

.....Petitioner

Through: Mr. Vidyut Kayarkar, Advocate.
(through V.C.)

versus

DLF HOMES PANCHKULA PVT LTD & ANR.Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 22988/2025 (early hearing)

1. The next date in the present petition is 04.08.2025 but an application has been moved seeking early hearing of the matter. However, during course of arguments, learned counsel for the petitioner submits that in view of the present legal position, the petitioner rather does not want to press the present petition and wishes to withdraw the same with liberty to approach appropriate jurisdictional High Court i.e. High Court of Punjab and Haryana.
2. In view of the above, the present petition has been taken up today itself.
3. The application stands disposed of.

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4. The present petition has been filed under Article 227 of the Constitution of India challenging order dated 01.08.2019 passed by



learned National Consumer Disputes Redressal Commission (in short 'NCDRC') in First Appeal No. 1239/2027.

5. The above matter was filed before learned NCDRC impugning order dated 27.04.2017 passed by State Commission, Chandigarh in Complaint No.883/2016.

6. Earlier the abovesaid order dated 01.08.2019 was, straightway, challenged by the petitioner herein by filing a Special Leave Petition before the Hon'ble Supreme Court and the Hon'ble Supreme Court *vide* order dated 31.10.2023, disposed of such SLP while granting liberty to the petitioner to seek appropriate remedies before the High Court.

7. Since the cause of action pertaining to the present subject matter has arisen within the jurisdiction of other High Court, relying upon judgment dated 04.03.2024 passed by Hon'ble Supreme Court in *Siddhartha S Mookerjee vs. Madhab Chand Mitter*, 2024 SCC OnLine SC 4205, learned counsel for petitioner now prays that the petitioner may be permitted to withdraw the present petition with liberty to approach the jurisdictional High Court.

8. This Court has gone through the abovesaid order wherein the Hon'ble Supreme Court has, very categorically, observed that merely because NCDRC, having seat in Delhi, had allowed 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.

9. Moreover, this Court has already *vide* order dated 12.09.2024



passed in *General Manager, Punjab National Bank and Others vs. Rohit Malhotra: (2024) SCC OnLine Del 6415* observed that in view of *Siddhartha S Mookerjee* (supra), any such petitioner should go to the “jurisdictional High Court”.

10. The petition stands disposed of as withdrawn. Liberty, as prayed for, is granted.

11. It is, however, made clear that this Court has not expressed any opinion, whatsoever, on the merits of the case.

12. The next date of 04.08.2025 stands cancelled.

(MANOJ JAIN)
JUDGE

APRIL 22, 2025
st/pb