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

+ **W.P.(C) 551/2025 & CM APPL. 2498/2025**

ESSEL LUCKNOW RAEBARELI TOLL ROADS LTD.

.....Petitioner

Through: Mr. Kanu Agrawal, Ms. Samapika Biswal, Ms. Soumya Sannidhanam and Mr. Gaurav Vats, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ORS.

.....Respondents

Through: Mr. Ankur Mittal, Mr Ankur Saboo and Ms. Simran Goel, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 18.02.2026

1. Mr. Kanu Aggarwal, learned counsel for the petitioner places reliance on various judgments of this Court and of the Supreme Court to justify that this Court has the territorial jurisdiction to entertain the instant petition. It is his case that the impugned order was passed by the respondent no.1, which has its *situs* in Delhi.

2. However, the Court is of the *prima facie* opinion that the material, integral and essential cause of action has arisen outside the jurisdiction of this Court, owing to the work in question which has been executed within the State of Uttar Pradesh and any consequence of the impugned order is also significantly felt at the same place.



3. At this stage, Mr. Aggarwal seeks liberty to withdraw the instant petition with liberty to approach the jurisdictional High Court.
4. The liberty as prayed for is granted. The petition stands dismissed as withdrawn. The pending application also stands disposed of. All the rights and contentions are left open.
5. Mr. Aggarwal also submits that this Court *vide* order dated 16.01.2025 had protected the petitioner till further orders.
6. In view of the aforesaid, it is directed that the order dated 16.01.2025 to remain in force for a period of four weeks from today to enable the petitioner to approach the jurisdictional High Court.

PURUSHAINDRA KUMAR KAURAV, J

FEBRUARY 18, 2026/JYH