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

+ **W.P.(C) 110/2021 & CM APPL. 8212/2024**

RAGHU RAMA KRISHNA RAJU

.....Petitioner

Through: Mr. Anirudh Wadhwa and Mr.
Debarshi Chakraborty, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Arnav Mittal and Mr. Akash Mishra,
Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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15.04.2026

(The matter has been taken up today, as 14.04.2026 was declared as a holiday on account of birthday of Dr. B.R. Ambedkar.)

1. The challenge in the instant writ petition is to the power of the National Company Law Appellate Tribunal (NCLAT) to initiate proceedings for contempt under the Insolvency & Bankruptcy Code, 2016.
2. Learned counsel appearing for the parties have made various submissions to the extent of inherent powers held by the NCLAT.
3. It is a well-settled principle in law that a Civil Court may have inherent powers to determine the question of its jurisdiction. The reference can be made to the decision passed by the Supreme Court in **Bhatia Coop**



Housing Society Ltd v D.C Patel¹. The relevant extract is as follows: -

“9. The learned counsel for the respondent took a preliminary objection..... It is well settled that a civil court has inherent power to decide the question of its own jurisdiction, although, as a result of its enquiry, it may turn out that it has no jurisdiction over the suit. Accordingly, we think, in agreement with the High Court, that this preliminary objection is not well founded in principle or on authority and should be rejected.”

4. The question as to where the NCLAT derives the powers to initiate contempt proceedings, in respect to its own orders, by virtue of its constitution, and the statutory scheme governing it shall be examined by the NCLAT itself.

5. In view of the aforesaid, instead of keeping the petition pending before this Court, it would be appropriate for the parties to take all available pleas and contentions before the concerned NCLAT.

6. Let the NCLAT, to also rule on its own jurisdiction. All rights and contentions of the parties are left open. The petitioner is granted liberty to request the concerned NCLAT to decide the jurisdiction to initiate contempt as a preliminary issue. With these observation, the petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

APRIL 15, 2026/SH

¹ (1952) 2 SCC 355