



2026:DHC:1562



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 2269/2026**Date of Decision: **17.02.2026****IN THE MATTER OF:**

STUDIO DRA INTERNATIONAL DESIGNERS PVT. LTD

.....Petitioner

Through: Mr. Kumar Anurag Singh, Mr. Zain A. Khan, Mr. Dev Aaryan, Mr. Mohd. Abran Khan, Advocates

versus

AIRPORTS AUTHORITY OF INDIA &amp; ORS.

.....Respondents

Through: Mr. Archit Mishra with Mr. Digvijay Rai, Advocates.

**CORAM:****HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****JUDGEMENT****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)****CM APPL. 10959/2026**

1. Exemption allowed, subject to just exceptions.
2. The application stands disposed of.

**W.P.(C) 2269/2026 and CM APPL. 10958/2026**

3. The present petition has been filed by the petitioner for quashing of the letter of the dated 10.02.2026, as well as, the show cause notice dated 16.01.2026, issued by respondent no.1, whereby, the petitioner has been

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blacklisted for a period of one year.

4. The facts would indicate that on 29.03.2023, a tender document was floated by respondent no.1, Department of Engineering for the construction of new domestic terminal building and miscellaneous works including maintenance, operation and AICMS at Rajahmundry Airport, [work] Andhra Pradesh. On 08.03.2023, the tender was awarded to one M/s. Renaatus Projects Pvt. Ltd. [Contractor]. *Vide* work order dated 29.09.2023, the petitioner was appointed as a Design Consultant by the Contractor for providing detailed design and engineering services for work at Rajahmundry Airport, Andhra Pradesh. It appears that on 24.01.2025 at 11.03 A.M. a part of the structure of the roof of the under-construction Rajahmundry Airport collapsed. In relation thereto, a site inspection report was submitted by the petitioner to the Contractor's Rajahmundry Airport's site office, *vide* letter dated 28.01.2025. A show cause notice dated 13.08.2025 was issued by respondent no.1 alleging sub-standard and inadequate structural designs in the construction of the Rajahmundry Airport, Andhra Pradesh. On 13.11.2025, another show cause notice was issued for restraining the petitioner from participating in future tenders for a period of one year.

5. *Vide* letter dated 08.12.2025, the respondent no.1, debarred the petitioner from participating in future tenders with respondent no.1. The said letter was challenged in WP(C) 19314/2025. *Vide* order dated 23.12.2025, the Court has passed the following directions:

*““1. The present petition assails the decision contained in letter No.AAI/RJY/ENGGEIC/DGM(E-C)/DEBARMENT/2025/435 dated 08.12.2025, whereby the petitioner has been sought to be debarred/blacklisted from participating in any future tenders of the Airports Authority of India (AAI) for a period of one year from the*

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*date of issuance of the said order.*

*2. Mr. Digvijay Rai, learned counsel for the respondent, submits that considering the facts and circumstances, the respondents have decided that the impugned order dated 08.12.2025 be kept in abeyance. The said statement is taken on record.*

*3. It is further agreed that the matter shall be duly reconsidered, and a fresh order shall be passed by the respondents after granting the petitioner an opportunity of hearing.*

*4. Let the above exercise be concluded as expeditiously as possible.*

*5. In view of the above, the respondents shall delete the name of the petitioner from the list of blacklisted firms on its website till the conclusion of the aforesaid exercise.*

*6. List for further consideration on 11.02.2026.”*

6. Thereafter, pursuant to the Court directions, another show cause notice was issued to the petitioner on 16.01.2026, and consequentially, on 10.02.2026, the order was passed. The petitioner, therefore, withdrew his earlier writ petition as the same was rendered infructuous.

7. In the instant petition, the petitioner in paragraph no.7, states that the respondents are in the territorial jurisdiction of this Court, therefore, the cause of action has arisen before this Court.

8. The Supreme Court in the case of ***Kusum Ingots v. Alloys Ltd. v. Union of India***<sup>1</sup> has relied upon one of the decisions of the Calcutta High Court in the case of ***SS Jain & Co. & Anr. v. Union of India & Ors.***<sup>2</sup> Relevant paragraphs of ***SS Jain***'s case are extracted as under:

*“12. This brings me to the crux of the problem. The problem is this. It now happens quite often in India that a petitioner, who wishes to apply under Article 226 of the Constitution of India, finds that more than one High Court has connection with the cause of action in question. Take the present case as an example. The vessel came into the Bombay Port. The dismantling work without the use of power would take place presumably at Bombay. The provisional assessment*

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<sup>1</sup>( 2004) 6 SCC 254

<sup>2</sup>(1994) 1 CHN 445



*order was made ready at Bombay although it was finally made effective by serving it upon the petitioners in Calcutta. The relevant Customs departments and officials are all at Bombay.*

*13. Two High Courts therefore have jurisdiction to entertain a writ for the present grievances of the petitioners. The High Court at Bombay has jurisdiction and also this High Court. Is it to be left to the petitioner to choose which High Court he will go to?*

*14. Is it to be left to the petitioner to choose that High Court which has much less connection with the entire bundle of facts making up the cause of action of the writ if he thinks it will more suit his convenience?*

*15. The answers to both these questions must be in the negative. The wording of Article 226 of the Constitution of India itself clarifies that the High Court would have jurisdiction in case even a part only of the cause of action arise, within its local limits. But there is nothing in that Article to show that if a part of the cause of action has arisen within such limits, the petitioner can approach that High Court as of right, and that the said High Court must, under the Constitution entertain the writ petition there.*

*16. It is not the choice of the petitioner which is the final deciding factor in this regard. It might be so in cases of institution of suits but it is not so in the matter of issuance of these prerogative writs.*

*17. Where the question of taking of leave of a Court arises before filing a suit, there the Court might refuse leave where only a slender part of the cause of action has arisen within its local limits. The Court could even rescind the leave later on upon that ground, if the defendant applies subsequently.*

*18. There is no such clause for taking of leave in Article 226 of the Constitution. The remedy itself is discretionary and so also there rests a further discretion with the High Court, whether it will at all entertain the writ in the first place.*

*19. The High Court, in appropriate cases, can and should, examine the bundle of facts constituting the cause of action to see if some other High Court can be said to be dominantly connected with the cause of action, rather than itself. In case the High Court comes to such a conclusion, then in my opinion, it would be improper for the writ petitioner to proceed in the High Court having a far less, and a mere slender connection with the cause of action. The writ petitioner in that case should be relegated to seek his remedy before that other High Court, having the dominantly larger connection. Just as a litigant is not permitted to choose his judge, so also shall a litigant not choose his High Court in the matter of presentation of his writ application. He shall approach that High Court only which has by far the largest connection with the facts giving rise to his grievance."*

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9. In the case of *SS Jain* the Court was considering a controversy where the cause of action had arisen within the jurisdiction of two High Courts. In that case, the vessel came into the Bombay Port. The dismantling work had taken place at Bombay. The provisional assessment order was made ready at Bombay. It was finally made effective by serving it upon the petitioner therein in Calcutta. The Court, therefore, had analysed Article 226 of the Constitution of India and has held that the wording of the Article 226 of the Constitution of India itself classifies that the High Court would have jurisdiction in case even a part of the cause of action arises within its local limits. But there is nothing in that Article to show that if a part of cause of action has arisen within such limits, the petitioner can approach that High Court as of right, and that the said High Court must, under the Constitution entertain the writ petition there. The Court, therefore, had made a very pertinent observation that as a litigant is not permitted to choose his judge, so also shall a litigant not choose his High Court in the matter of presentation of his writ application. It be also noted that Article 226 is a discretionary jurisdiction, whether, it should at all entertain the writ in the first place. The High Court, in appropriate cases, can and should, examine the bundle of facts constituting the cause of action to see if some other High Court can be said to be dominantly connected with the cause of action, rather than itself.

10. In case the High Court comes to a conclusion that in its opinion it would be improper for the writ petitioner to proceed in the High Court having a far less, and a mere slender connection with the cause of action. The writ petitioner in that case should be relegated to seek his remedy before the other High Court, having the dominantly larger connection.

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11. Having considered the entire facts and circumstances and the decisions as referred hereinabove, it is seen that the petitioner has approached this Court only because the office of respondent no.1 is situated in Delhi and the impugned order has been passed from Delhi. The *situs* of the respondent authority again cannot be the sole reason to invoke the writ jurisdiction. The entire cause of action which is integral, essential and material has arisen outside the jurisdiction of this Court i.e., within the jurisdiction of Andhra Pradesh High Court. The appointment of the petitioner as a Design Consultant was for the work to be undertaken at Rajahmundry Airport, Andhra Pradesh. The incident which is the genesis of the entire cause of action had taken place at Rajahmundry Airport, Andhra Pradesh. Even the impugned order has been issued from Rajahmundry Airport of the Airport Authority of India.

12. In view of the aforesaid, the instant petition stands dismissed. The petitioner however shall be at liberty to approach the jurisdictional High Court.

13. Pending application shall also stand disposed of.

**PURUSHAINDR KUMAR KAURAV, J**

**FEBRUARY 17, 2026**

*Tr/ap*

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