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

+ **W.P.(C) 4339/2026**

RAM KRIPAL SINGH CONSTRUCTIONS PVT LTD

.....Petitioner

Through: Mr. Amit Pawan, Mr. Hassan Zubair
Waris and Ms. Aastha Shrestha,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Saumya Tandon, CGSC with Mr.
Gaurav Singh Sengar, Adv. for R-1
and 2.

Mr. Santosh Kumar, SC with Mr.
Ritik Dwivedi, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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02.04.2026

CM APPL. 21128/2026 (EXEMPTION)

1. Exemptions allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 4339/2026 and CM APPL. 21127/2026

3. The instant petition has been filed seeking following reliefs:

“A. ISSUE a writ of certiorari quashing the show cause notice dated 24.02.2026 issued by the 3rd Respondent-NHAI by which, Petitioner has been asked to show cause as to why action be not taken against it as per article 3(2) of the Integrity Pact between the parties and General Financial Rules, 2017 (GFR);

B. ISSUE a writ of certiorari quashing the Letter dated 09.03.2026 issued



by the 3rd Respondent-NHAI by which the application made by the Petitioner to the NHAI to withdraw the show cause notice dated 24.02.2026 has been rejected and the Petitioner has been directed to submit its reply to the said show cause notice by 06.04.2026;

C. Pass any other and/or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice.”

4. The petitioner seems to have approached this Court on the ground that the National Highways Authority of India (NHAI) and the Union of India (UOI) offices are in Delhi. It is also submitted that in earlier rounds, this Court had entertained a writ petition and directed the respondents to do the needful.

5. The Court, however, finds that the work in question has been carried out in the state of Bihar. The entire dispute relates to the said work. This Court, in the case of **Indure Pvt. Ltd. v. Government of NCT of Delhi and Ors.**,¹ has held that the *situs* of the respondent-authority being within the jurisdiction of a High Court should not be the sole determinative factor to entertain the writ petition, if the material, integral and essential part of the cause of action arose outside its territorial jurisdiction. The Supreme Court of India in the case of **Kusum Ingots & Alloys Ltd. v. Union of India and Anr.**,² has held as under:

“Forum conveniens

30. We must, however, remind ourselves that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of forum conveniens. [See *Bhagat Singh Bugga v. Dewan Jagbir Sawhney* [AIR 1941 Cal 670 : ILR (1941) 1 Cal 490] , *Madanlal Jalan v. Madanlal* [(1945) 49 CWN 357 : AIR 1949 Cal 495] ,

¹ 2026:DHC:1605

² (2004) 6 SCC 254



Bharat Coking Coal Ltd. v. Jharia Talkies & Cold Storage (P) Ltd. [1997 CWN 122] , S.S. Jain & Co. v. Union of India [(1994) 1 CHN 445] and New Horizons Ltd. v. Union of India [AIR 1994 Del 126] .]”

6. In view of the aforesaid, the Court finds that the material, integral and essential part of cause of action arose outside the jurisdiction of this Court and therefore, the petitioner will have to approach the jurisdictional High Court.
7. The instant petition along with pending application stands disposed of.
8. All rights and contentions of the parties are left open.
9. *Dasti.*

PURUSHAINDRA KUMAR KAURAV, J

APRIL 2, 2026/Sh