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

+ W.P.(C) 3226/2025 and CM APPL. 15038/2025, CM APPL. 23998/2025

RELIANCE ELEKTRIK WORKS

.....Petitioner

Through: Mr. N. C. Gupta, Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Vikram Jetly CGSC with Ms. Shreya Jetly Advocate for R-1 & 2.
Mr. Ninad Laud, Mr. Ivo M S DCosta and Mr. Guruprasad Naik, Adv. for R-3 & 4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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06.02.2026

1. The petition is for the following reliefs:

"i) Allow ad interim stay on operation of the impugned display with respect to the petitioner remarked (license) 'not issued' by respondent no 3 & 4, being in violation of principles of natural justice and derogation of advisory of the CEA, Govt of India.

ii) Issue writ of certiorari or any other writ thereby quashing the impugned display with respect to the petitioner remarked (license) 'not issued' being in

violation of principles of natural justice and derogation of advisory of the CEA, Govt of India.

iii) Issue the writ of Mandamus or any other appropriate writ and / or order or direction, to the respondent 1 & 2 to act upon the representation dated 21/11/2024 of the petitioner within time bound frame.

iv) Issue the writ of Mandamus or any other appropriate writ and / or order or direction, to the respondent 3 & 4 to act in terms of advisory



dated 20/11/2023 issued by the respondent no 1 and 2 (CEA, Govt of India, New Delhi) and make endorsement on the license of the petitioner.

v) Pass orders for cost and damages in favour of the petitioner and against the respondent,

vi) Pass any other and further order (s) which may be deemed to be just and proper in favor of the Petitioner in the light of the facts and circumstances of the case.”

2. The petitioner claims to be an electric contractor which is engaged in the installation of sub-stations and performance of allied jobs based on tenders floated by Central/State Governments. It has been granted licenses in this regard by the Government of NCT of Delhi and the Government of Uttar Pradesh.

3. According to the petitioner, in order to participate in tenders floated by respondent no. 4, the former filed an application for grant of license on 25.09.2024. However, the latter after multiple reminders and follow ups, is stated to have rejected the application, without assigning any reason for the same or affording any opportunity of hearing to the petitioner. Aggrieved by the said impugned action, the petitioner claims to have filed a representation dated 21.11.2024 before respondent no. 1 and 2-authorities seeking directions to respondent no. 4 to endorse its application. However, no response is stated to have been received thereto. Therefore, as per the petitioner, the petition has been filed.

4. Learned counsel for the petitioner submits that the prayer for directions to act on the representation dated 21.11.2024 and for compliance with the advisory dated 20.11.2023 are against respondent no. 1 and 2, which are situated in New Delhi and therefore, a part of the cause of action has arisen within the jurisdiction of this Court. Further, it is asserted that the petitioner too, is situated in Delhi. According to him, therefore, the petition



is maintainable.

5. It is argued that Article 226 of the Constitution of India provides that the power to issue writ, directions, or orders to any authority may be exercised by any High Court within whose jurisdiction the cause of action, whether wholly or in part, arises notwithstanding that the seat of such authority is situated outside its jurisdiction. Further, in ***Sterling Agro Industries Limited v. Union of India and Ors.***¹ this Court has held as under:

"even if a miniscule part of cause of action arises within the jurisdiction of this court, a writ petition would be maintainable before this Court, however, the cause of action has to be understood as per the ratio laid down in the case of Alchemist Ltd (supra)."

6. Learned counsel for respondents no. 3 and 4 opposes the aforesaid submissions and places reliance on the decisions of the Supreme Court in ***ONGC v. Utpal Kumar Basu***², ***Union of India v. Adani Exports Ltd.***³ and ***Kusum Ingots & Alloys Ltd. v. Union of India and Anr.***⁴ and contends that the substantial part of the cause of action has arisen outside the jurisdiction of this Court and therefore, discretion may not be exercised to entertain the petition.

7. The facts of the case, no doubt, indicate that, a part of cause of action may have arisen within the jurisdiction of this Court, however, the same cannot be the sole factor to entertain the writ petition.

8. If the case of the petitioner is considered in the right perspective, it would indicate that, essentially, the grievance is that respondents no. 3 and 4, have refused to grant an electrical contractor-license to the petitioner for

¹ (2011) 181 DLT 658

² (1994) 4 SCC 711

³ (2002) 1 SCC 567



tenders in the State of Goa. So far as the prayers for directions to respondents no. 1 and 2 are concerned, they too, essentially, relate to the petitioner's application for electrical contractor's license for the State of Goa. In all respects, therefore, it is seen that the essential, material, and integral part of the cause of action for the petition has arisen in the State of Goa. The tenders which the petitioner wants to participate in, the application for the same, and the rejection thereof, and the directions from respondents no. 1 and 2 to respondent no. 3 and 4, are all in respect of the State of Goa. Had the petitioner been granted the license, it would have been entitled to participate in tenders in the State of Goa. Therefore, all essential elements of the dispute lie in the State of Goa.

9. The Supreme Court in the case of ***Kusum Ingots*** has held that even if a small part of cause of action arises within the territorial jurisdiction of one Court and the material, essential, and integral part of cause of action has arisen within the jurisdiction of another Court, the principle of *forum conveniens* can be invoked and the party can be relegated to the Court where the material, essential and integral part of cause of action has arisen. The relevant portion of the aforesaid decision is extracted 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] , Bharat Coking Coal

⁴ (2004) 6 SCC 254



*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].]*”

10. In view thereof, the petitioner will have to approach the jurisdictional High Court.
11. Accordingly, the petition stands dismissed. All rights and contentions of the parties are left open.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 6, 2026/P/AMG