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

+ **W.P.(C) 4385/2026**

MANJU RANI ENTERPRISES

.....Petitioner

Through: Mr Biraja Mahapatra, Advocate.

versus

UNITED INSURANCE CO. LTD. AND ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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06.04.2026

CM APPL. 21401/2026 (EXEMPTION)

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

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3. The petition is for the following reliefs:

“a) Issue a Writ of Certiorari to set aside the final judgment dated 14.01.2026 of the Hon'ble National Consumer Disputes Redressal Commission in FA.No. 1718 of 2019 to the extent it declines the Petitioner's claim of Rs.7,77,027.36 towards stocks/consumables destroyed in the fire incident;

b) Direct the Respondent Insurance Company to pay the balance amount of Rs.7,77,027.36 along with appropriate interest from the date of incident;

c) Modify the direction regarding interest and award interest on Rs.9,14,921.64 from the date of fire incident (23/24.11.2010), till the date of realisation adjusting the amount already paid to the Petitioner in compliance with the impugned order;

d) Award costs of litigation throughout; and



e) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

4. The petitioner essentially seeks for direction to set aside the order dated 14.01.2026 passed by the National Consumer Disputes Redressal Commission (hereinafter the '**NCDRC**'), whereby, the petitioner's appeal was allowed in part.

5. The petitioner had ensured his gowdown which is situated in Puri, Odisha, by obtaining a Standard Fire and Special Perils Policy (hereinafter the "**Insurance Policy**") from respondents-United India Insurance Co. Ltd.

6. The dispute had arisen with respect to the claim under the aforesaid Insurance Policy. The petitioner had approached the State Consumer Disputes Redressal Commission, Odisha ("**SCDRC**"). There seems to be various proceedings, which eventually travelled to NCDRC.

7. The petitioner has approached this Court merely on the ground that the NCDRC is situated in Delhi. The Supreme Court in the case of **Siddharth S. Mookerjee and Anr. vs. Madhab Chand Mitter and Anr.**¹, has held that the jurisdictional High Court, in the case where the dispute has originated from other jurisdiction, should not be treated as High Court of Delhi, only on the ground that the order is passed by the NCDRC at Delhi. The paragraph nos. 7 to 9 of the decision passed by the Supreme Court in the case of **Siddharth S. Mookerjee and Anr.**, is extracted as under:

"7. Treating the High Court of Delhi as the jurisdictional High Court, the respondent no.1 has filed petitions under Article 227 of the Constitution of India. Notice was issued on the said petitions on 04th October, 2023, on the adjudication of jurisdictional aspect. This is what has brought the appellants before this Court.

8. Learned counsel for the respondent no.1 contends that the jurisdictional

¹ 2024 SCC OnLine SC 4285



High Court in the instant case ought to be treated as the High Court of Delhi, inasmuch as the judgment impugned before the High Court was passed by the NCDRC at Delhi.

9. In our opinion, that can hardly be treated as a ground to invoke the jurisdiction of the High Court of Delhi. The respondent No.1 ought to have approached the High Court of Calcutta being aggrieved by the impugned judgment as the entire cause of action in the present case has arisen in Kolkata, where the patient was operated for ovarian cancer on 24th February, 2012, and expired on 30th July, 2014. The complaint case was filed at Kolkata based on the aforesaid cause of action. Merely, because the NCDRC has allowed the revision petitions filed by the appellants and the respondent no.2 would not be a ground to vest jurisdiction in the High Court of Delhi.”

8. In view of the aforesaid, learned counsel for the petitioner seeks liberty to withdraw the petition with liberty to approach the jurisdictional High Court.

9. Accordingly, the petition stands dismissed as withdrawn with liberty to the petitioner to approach the jurisdictional High Court.

10. All rights and contentions of the parties on merit are left open.

PURUSHAINDR KUMAR KAURAV, J

APRIL 6, 2026

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