



\$~54.

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

+ LPA 368/2026

M/S MADHAV CONSTRUCTIONAppellant

Through: Ms. Priyanka Jain, Adv.

versus

NBCC (INDIA) LIMITED AND ANRRespondent

Through: Mr. Amit Kumar, Adv. for NBCC.
Mr. Santosh Kumar Rout, SC, SBI

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **15.05.2026**

CM APPL. 32825/2026

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

LPA 368/2026 & CM APPL. 32826/2026

3. This intra-Court appeal seeks to challenge the order dated 02.04.2026, passed by the learned Single Judge whereby W.P.(C) 4336/2026 instituted by the appellant has been dismissed on the ground that this Court does not have any territorial jurisdiction and, therefore, the appellant ought to approach the jurisdictional High Court.
4. Challenge in the proceedings of the writ petition before the learned Single Judge was to the show cause notice dated 29.12.2025.
5. We have been informed that pursuant to the said show cause notice an



order has been passed invoking the bank guarantee and also debarring the appellant. In view of these developments, we are of the opinion that the instant appeal has been rendered infructuous for the reason that the appellant will now have to challenge the order invoking bank guarantee and the order of debarment by instituting appropriate proceeding before appropriate forum/ Court.

6. We, thus, dismiss the appeal as having been rendered infructuous. However, we make it clear that all the issues will be open to be pressed by the appellant, including the ground/ issue relating to the show cause notice dated 29.12.2025 if any challenge to the order of invocation of bank guarantee as also the order of debarment is made by the appellant.

7. The appeal, thus, stands disposed of in the aforesaid terms.

8. We make it clear that we have not made any observation either on the merits of the claim of the respective parties or even on the issue relating to territorial jurisdiction of this Court.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 15, 2026

N.Khanna