



\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 7444/2026 & CM APPL.36179/2026**

Date of Decision: 25.05.2026

IN THE MATTER OF:

RAMAKRISHNA BUILDWELL PVT LTDPetitioner

Through: Mr. Kunal Malik, Mr. Sunando Raha,
Mr. Mudit Sharma, Advs.

versus

COMMISSION FOR AIR QUALITY MANAGEMENT (CAQM) &
ORS.Respondents

Through: Ms. Gayatri Virmani, Proxy Adv.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****JUDGEMENT****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petitioner *vide* the instant petition seeks to challenge order dated 30.04.2026 passed by the Commission for Air Quality Management/respondent no.1, whereby, the petitioner had been directed to stop the construction activities at the project site, which is situated at Divine City, Gaunaur, Sonipat, Haryana.
2. The grievance raised by the petitioner, however, arises out of the construction being carried out at Sonipat, Haryana. It is the said construction, which according to respondent no.1, is not in conformity with the applicable rules and regulations. The material, essential and integral facts giving rise to the present lis, therefore, pertains to the construction



situated outside the territorial jurisdiction of this Court.

3. The petitioner had approached this Court merely on the ground that the registered office of respondent no.1, who had passed the impugned order is situated in Delhi.

4. This Court in ***The Indure Pvt. Ltd. v. Government of NCT of Delhi***,¹ took note of the decisions in ***Shristi Udaipur Hotels v. Housing and Urban Development Corp.***,² ***Riddhima Singh v. Central Board of Secondary Education***,³ ***Smt. Manjira Devi Ayurveda Medical College and Hospital v. Uttarakhand University of Ayurveda and Ors.***,⁴ ***Michael Builders and Developers Pvt. Ltd. v. National Medical Commission and Ors.***,⁵ which declare that the situs of the head office/registered office of the respondent, does not determine whether the Court has the requisite territorial jurisdiction to entertain a writ petition.

5. The Court in ***Indure Pvt. Ltd. v. Government of NCT of Delhi and Ors.***⁶ in paragraphs 36 to 38 has held as under:

“36. A petitioner who approaches this Court to assail a decision of an authority situated in Delhi, when the underlying cause for the said decision lies elsewhere, effectively attempts to make this High Court a mini-pan-India Superior Court exercising jurisdiction over all events which take place throughout this Country. There is no gainsaying with the proposition that every High Court is competent to adjudicate upon a lis which arises from events or actions taking place within its territory. Merely because the ultimate order, which is based on events taking place outside Delhi and takes cognizance of actions outside of Delhi, is passed within the jurisdiction of this Court, a writ petition ought not be entertained by this Court.

37. Naturally, being the capital of the Country, various authorities and

¹ 2026:DHC:1605.

² 2014 SCC OnLine Del 2892.

³ 2023 SCC OnLine Del 7168.

⁴ 2024:DHC:6903-DB

⁵ 2024:DHC:7146.

⁶ 2026:DHC:1605



bodies having pan-India jurisdiction would be located within the jurisdiction of this Court. Merely because the decision making authority happens to be in Delhi, ought not to be the sole reason to entertain a lis in this Court. The decision, no doubt, may be passed in the national capital, but it is usually against persons situated outside Delhi; and even more importantly, for actions which took place beyond the borders of this Court. The act of giving a hearing in Delhi, or the passing of an order in Delhi, is merely a result of a body/authority being situated in the national capital, it has nothing to do with the lis, the offending action, the legal injury or the foundational facts on the basis of which action is being taken.

38. The case-law cited above, makes repeated reference to “dominant facts”, and facts which are “material, essential and integral” to the lis in question. In most cases, the fact that the order is passed, or the head office is located, or that opportunity of hearing was afforded, within the jurisdiction of this Court is completely immaterial, non-essential, and non-integral to the dispute in question. Any of the aforementioned three aspects could very well have taken place in another part of the Country, it is for the sole reason that Delhi is the national capital, that, in most cases these factors get connected to the jurisdiction of this Court. From another lens, it may be seen that regardless of what the underlying facts or legal injury/infringement may be, the order impugned would, in an overwhelming number of cases be passed from Delhi. If this be the case, can this constant factum, which shall remain present in each case, be considered a “dominant fact” or a “material, essential and integral” fact? The answer must be in the negative.”

6. In view thereof, the petition stands dismissed. The petitioners shall be at liberty to approach the jurisdictional High Court.
7. All rights and contentions are left open.

PURUSHAINDR KUMAR KAURAV, J

MAY 25, 2026

ab