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

+ **W.P.(C) 15866/2023 & CM APPL. 63824/2023**

**UTTAR MADHYA RAILWAY THROUGH STATION ADHISHAK
KANPUR CENTRAL & ORS.Petitioners**

Through: **Mr Himanshu Pathak, Advocate.**

versus

RAGHVENDRA NARAIN SHUKLA ADVOCATERespondent

Through: **Mr. Archit Kaushik, Advocate.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **25.02.2026**

1. The proceedings are emanated from the complaint filed by the respondent before the District Forum Kanpur. The said decision allowing the complaint of the respondent was affirmed by the State Consumer Dispute Redressal Commission, Lucknow (U.P.) Against the said order, the revision filed by the petitioners was dismissed by the National Consumer Dispute Redressal Commission, New Delhi [NCDRC].

2. Since the NCDRC is in Delhi, therefore, the petitioners have filed the instant writ petition. The Supreme Court in the case of *Siddhartha S. Mookerjee and Anr. v. Madhab Chand Mitter and Anr*¹, has held as under:

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

¹ 2024 SCC OnLine SC 4285



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 30 th 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.*

10. *Accordingly, the appeals are allowed. The petitions filed before the High Court of Delhi are disposed of with liberty granted to the respondent no. 1 to approach the High Court of Calcutta for seeking appropriate relief. In the event the respondent no. 1 files a petition before the High Court of Calcutta within four weeks from today, the appellant herein shall not raise any objection as to the maintainability of the said petition on the ground of limitation. It is further directed that in this duration, the appellants shall not rely on the order passed by the NCDRC."*

3. Merely on the ground that the NCDRC is in Delhi, the petition before this Court is not maintainable. The same is accordingly dismissed. The petitioners, however, shall be at liberty to approach the jurisdictional High Court.

4. Pending application also stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 25, 2026

Tr/ap