



2026:DHC:2767



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

+ **W.P.(C) 12102/2025**

Date of Decision: **28.03.2026**

IN THE MATTER OF:

PATIALA LACE HOUSE
THROUGH ITS PROPRIETOR

.....Petitioner

Through: Mr. Narender Singh Yadav,
Advocate.

versus

THE NEW INDIA ASSURANCE THROUGH ITS BRANCH
MANAGER AND ORS.

.....Respondents

Through: Mr. Salil Paul, Mr. Sahil Paul and Mr.
Harmeet Singh Phillip, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

J U D G E M E N T

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

This matter has been taken up today, as 02.03.2026 was declared holiday.

1. The petition is for the following reliefs:

(a) issue a writ, order or direction in the nature of certiorari and set-aside the Order dated 31.08.2022 passed by the Hon'ble High State Consumer Dispute Redressal Commission, Punjab in Appeal No.15 of 20.; and/or

(b) issue a writ, order or direction in the nature of mandamus directing the respondents to pay the genuine claim as per survey by independent

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surveyor appointed by the company itself amount of Rs. 60,00,000/- with interest upto date and Rs. 20 Lacs as compensation in lieu of harassment, mental agony, loss of time and money and for destroying the prestigious span of life and Rs. 50,000/- for litigation expenses in the interest of justice. /and

(c) issue a writ, order or direction in the nature of mandamus directing the respondents to enhance their compensation amount awarded by the District Consumer Redressal Forum, Mansa, Punjab in the interest of justice; and/or

(d) pass any such other and further orders as are deemed fit & proper, necessary & expedient in facts and circumstances of the case and in the interest of justice.

2. The sole reason for the petitioner approaching this Court is that the National Consumer Disputes Redressal Commission (NCDRC), is situated in Delhi, and has entertained revision petition arising from the order dated 31.08.2022 (hereinafter 'impugned order') passed by the State Consumer Disputes Redressal Commission, Punjab.

3. Learned counsel appearing for respondents-New India Assurance Company Limited places reliance on the decision passed by the Supreme Court in the case of **Siddharth S. Mookerjee and Anr. vs. Madhab Chand Mitter and Anr.**¹ and the decision passed by this Court in the case of the **General Manager Punjab National Bank and Ors. vs. Rohit Malhotra**,² to contend that the petitioner has to approach the jurisdictional High Court under whose jurisdiction the dispute had arisen.

4. He submits that merely on the ground that NCDRC is in Delhi should not be the sole reason to entertain the instant petition by this Court.

5. According to learned counsel for the respondents, the dispute was initially adjudicated by the District Consumer Disputes Redressal Forum,

¹ 2024 SCC OnLine SC 4285

² 2024:DHC:7035



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Mansa, Punjab. Being aggrieved by the decision therein, the petitioner preferred an appeal before the State Consumer Disputes Redressal Commission, Punjab. It is, this decision which was the subject matter before the NCDRC.

6. The paragraph nos. 7 to 9 of the decision passed 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 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.”

7. Similar view is taken by this Court in **General Manager Punjab National Bank and Ors.** The paragraph nos. 71 to 73 is extracted as under:

“ 71. Moreover, Ambica Industries (supra) and Calcutta Gujarati (supra) also go on to hold that situs would not be a deciding factor where any such Tribunal or Authority exercises control over multiple States.

72. The words “jurisdictional High Court” as used in Universal Sompo General Insurance Co. Ltd (Supra) cannot be automatically inferred to be Delhi High Court only. In Ibrat Faizan (supra), which related to a matter pertaining to NCDRC only, the Hon’ble Supreme Court held that the aggrieved party would be required to approach the „concerned High Court” having jurisdiction under Article 227 of Constitution of India and such phrases “concerned High Court” and “Jurisdictional High Court”

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would not ipso facto mean “Delhi High Court”, more particularly, in view of Siddhartha S Mookerjee (Supra).

73. Resultantly, all the present petitions are disposed of while holding that these petitions are not maintainable before this Court for want of jurisdiction. Needless to say, the petitioners would, always, be at liberty to pursue appropriate remedy by filing petitions before the respective jurisdictional High Courts.”

8. It is manifest that the entire cause of action, including the filing of the complaint, adjudication by the District Forum, and subsequent appeal before the State Commission, has arisen outside the jurisdiction of this Court. The mere fact that the NCDRC, a National Authority, is located in Delhi does not confer jurisdiction on this Court.

9. In view thereof, the instant petition stands dismissed with liberty to approach the jurisdictional High Court.

10. All rights and contentions are left open.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MARCH 28, 2026/aks/ss

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