



2026:DHC:2223



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

+ **W.P.(C) 4353/2025**

Date of Decision: **12.03.2026**

**IN THE MATTER OF:**

SUSHILA RANI

.....Petitioner

Through: Mr. Aishvary Vikram, Ms. Navya  
Bhagat, Mr.Lucky Sharma,  
Advocates.

versus

CENTRAL PUBLIC INFORMATION OFFICER OF THE STATE  
BANK OF INDIA, SWAMIH INVESTMENT FUND-I, C/O  
SBICAP VENTURES LTD, MUMBAI .....Respondent

Through: Mr. Nikhil Mehndiratta, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**JUDGEMENT**

**PURUSHAINDR KUMAR KAURAV, J. (ORAL)**

1. The present petition challenges the order dated 22.02.2025, passed by the Central Information Commission, in the Second Appeal preferred by the petitioner under Section 19(3) of the Right to Information Act, 2005 ('**RTI Act**').
2. It appears that the petitioner, a resident of Noida, U.P., had originally



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preferred an RTI application before the Central Public Information Officer of the State Bank of India, Swamih Investment Fund, Mumbai, seeking information regarding various aspects of the Gayatri Aura project, Greater Noida West, Uttar Pradesh. Being aggrieved by the non-disclosure of the respondent-authority, a first appeal was, thereafter, preferred under Section 19(1) of the RTI Act, before the First Appellate Authority of the Swamih Investment Fund, Mumbai. Upon an order not being passed purportedly passed within the timelines mandated by the RTI Act, the petitioner preferred a Second Appeal before the Central Information Commission, which passed the impugned order 22.02.2025.

3. In *Siddhartha S. Mookerjee and Anr. v. Madhab Chand Mitter and Anr.*,<sup>1</sup> the Supreme Court was moved to assail an order of this Court, whereby notice was issued in a petition, filed under Article 227 of the Constitution, challenging an order passed by the National Consumer Dispute Redressal Commission at New Delhi ('NCDRC'). The facts in that case were, that originally, a complaint was filed before the District Consumer Dispute Redressal Forum at Kolkata, which was rejected *vide* order dated 13.10.2017. Aggrieved by the same, an appeal was filed before the State Consumer Disputes Redressal Commission, West Bengal at Kolkata, which was allowed *vide* order dated 13.02.2020. Dissatisfied by the said order, review petitions were preferred before the NCDRC, which were in turn allowed.

4. On the sole ground that the NCDRC, which is the authority that passed the impugned order, is situated in Delhi, the jurisdiction of this Court was invoked, and notice in the said petition was issued. While allowing the



appeal, and disposing of the writ petitions filed before this Court, the Supreme Court noted that it cannot be a ground to move the Delhi High Court. The material portion of the judgement reads 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.*

*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.*

*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.”*

5. The principle of *Siddhartha S. Mookerjee and Anr.*, (supra) applies with full force to the facts of the instant case. The material, essential and integral cause of action has arisen outside the territorial jurisdiction of this Court. Even if it is considered that a part of cause of action may have arisen in Delhi, however, the same should not be the sole reason to entertain the instant petition.

6. The Supreme Court in the case of *Kusum Ingots & Alloys Ltd. v.*

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<sup>1</sup> 2024 SCC OnLine SC 4285



*Union of India and Anr.*,<sup>2</sup> has held that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of *forum conveniens*. The material portion of the aforementioned decision reads as under:

“*Forum conveniens*

*30. We must, however, remind ourselves that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of forum conveniens. [See Bhagat Singh Bugga v. Dewan Jagbir Sawhney [AIR 1941 Cal 670 : ILR (1941) 1 Cal 490] , Madanlal Jalan v. Madanlal [(1945) 49 CWN 357 : AIR 1949 Cal 495] , Bharat Coking Coal Ltd. v. Jharia Talkies & Cold Storage (P) Ltd. [1997 CWN 122] , S.S. Jain & Co. v. Union of India [(1994) 1 CHN 445] and New Horizons Ltd. v. Union of India [AIR 1994 Del 126] .]”*

7. In view of the above, the petition stands dismissed. Liberty is, however, granted in favour of the petitioner to approach the jurisdictional High Court to agitate the instant *lis*, if so advised.

8. All rights and contentions of the parties are left open.

**PURUSHAINDRA KUMAR KAURAV, J**

**MARCH 12, 2026/P**

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<sup>2</sup> (2004) 6 SCC 254.