



2025:DHC:6666



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

% ***Date of Decision: 07th August, 2025***

+ CM(M) 1342/2025

SMT ANITA

.....Petitioner

Through: Mr. Nishant Shokeen, Mr. Rahul Singh, Mr. Dhruv Dwivedi, Ms. Sumita Singh and Mr. Yash Bhardwaj, Advocates

versus

TDI INFRASTRUCTURE PVT LTD & ANR.Respondent

Through: Ms. Kanika Agnihotri, Mr. Vaibhav Agnihotri and Ms. Aakriti Gupta, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Present petition has been filed under Article 227 of the Constitution of India challenging order dated 17.01.2025 passed by learned National Consumer Disputes Redressal Commission (*in short* 'NCDRC') in Review Application No. 02/2025 in First Appeal No. 890/2021.
2. The above appeal was filed before learned NCDRC impugning order dated 19.04.2021 passed by learned State Consumer Disputes Redressal Commission, Haryana Panchkula in Consumer Complaint No. 92/2017.
3. Since the cause of action pertaining to the present subject matter has arisen within the jurisdiction of other High Court, relying upon judgments dated 04.03.2024 passed by Hon'ble Supreme Court in *Siddhartha S Mookerjee vs. Madhab Chand Mitter*, 2024 SCC OnLine SC 4205 and



2025:DHC:6666



General Manager, Punjab National Bank and Others vs. Rohit Malhotra: (2024) SCC OnLine Del 6415, learned counsel for petitioner, now, prays that the petitioner may be permitted to withdraw the present petition with liberty to approach the jurisdictional High Court.

4. In *Siddhartha S Mookerjee (supra)*, the Hon'ble Supreme Court has, very categorically, observed that merely because NCDRC, having seat in Delhi, had allowed petition, the jurisdiction would not vest with Delhi High Court and observing that since the cause of action had arisen in Kolkata and the matter had been dealt with by the State Commission of West Bengal, it was held that the jurisdiction of High Court of Calcutta should have been invoked.

5. In view of the above, the present petition is disposed of with liberty to invoke the jurisdiction of the jurisdictional High Court by filing appropriate petition within six weeks.

6. It is, however, made clear that this Court has not expressed any opinion, whatsoever, over the merits of the case.

(MANOJ JAIN)
JUDGE

AUGUST 7, 2025/dr/shs