



\$~105

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

+ **CM(M) 696/2022**

NEWTECH SHELTERS NOIDA PVT. LTDPetitioner

Through: Mr. Chandra Shekhar Yadav,
Advocate.

versus

RAJIV S GUPTARespondent

Through: Mr. A. A. Chaus and Mohd. Nawaz,
Advocates.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **13.10.2025**

CM(M) 696/2022, CM APPL. 42140/2024 (for taking on record the amended memo of parties), CM APPL. 31846/2022 (stay) & CM APPL. 31172/2023 (vacation of stay)

1. The petitioner has assailed orders dated 04.03.2020 and 15.10.2020 of the NCDRC subsequent to dismissal of SLP. The SLP dismissal order was on the ground that the Hon'ble Supreme Court did not find any ground to interfere with the impugned orders. In addition to the issue of propriety, it is to be examined as to whether the impugned orders having been unsuccessfully challenged before the Supreme Court, the same can be again challenged under Article 227 of the Constitution of India.
2. Besides, it is also contended on behalf of petitioner that since the impugned orders were passed by single member of NCDRC, the same are not sustainable and this issue is already pending before the Supreme Court.
3. Another issue raised on behalf of petitioner is that a relief not prayed



for before the Consumer Courts cannot be granted.

4. Learned counsel for respondent submits that all the above arguments are devoid of merit and he shall address in detail. Detailed arguments cannot be heard as it is almost end of the day.

5. Relist on 01.12.2025. On the next date, this matter shall be listed in top five matters of the Advance List.

GIRISH KATHPALIA, J

OCTOBER 13, 2025/dr