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

+ **CM(M) 2178/2025**

SHEELA FOAM LTD.

.....Petitioner

Through: Mr. A.K. Goswami, Mr. Ravinder Singh, Mr. Prashant Giri and Mr. Vikas Singh, Advocates

versus

NEW INDIA ASSURANCE CO LTD

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **14.11.2025**

CM APPL. 71119/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM(M) 2178/2025 & CM APPL. 71120/2025 (stay)

2. Petitioner/complainant has assailed order dated 22.09.2025 of the learned NCDRC, whereby the order passed by SCDRC was reversed. The impugned order was passed by NCDRC, invoking revisional jurisdiction, which jurisdiction according to the petitioner/complainant does not exist in law. It is contended by learned counsel for petitioner/complainant that the order of SCDRC could be challenged only by way of an appeal and not by way of a revision, so the impugned order is not sustainable in the eyes of law.

3. Further, learned counsel for petitioner/complainant also submits that the impugned order appears to have been passed in a mechanical manner in



the sense that instead of examining the SCDRC order and expressing as to what was deduced by NCDRC from the same, the NCDRC in the impugned order incorporated the photocopied contents of the entire order of SCDRC as well as few other pleadings. That, according to learned counsel for petitioner/complainant reflects non-application of mind. On this argument, learned counsel for petitioner has taken me through the complete impugned order.

4. It is also contended by learned counsel for petitioner/complainant that since there is a conflict of decisions between two authorities, namely SCDRC and NCDRC, this is a fit case to stay the operation of the impugned order at least till next date.

5. *Prima facie*, I find substance in the submissions made by learned counsel for petitioner today. Therefore, operation of the impugned order shall remain stayed till next date.

6. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondent, returnable on 24.03.2026 before Registrar.

GIRISH KATHPALIA, J

NOVEMBER 14, 2025/as