

Court No. - 8

Case :- CIVIL MISC REVIEW APPLICATION DEFECTIVE
No. - 186 of 2023

Applicant :- Managing Director U.P. Projects Corporation Ltd.
Lko And Another

Opposite Party :- Smt. Kamlesh Kumari And Another

Counsel for Applicant :- I.M. Pandey Ist,Dharm Raj Mishra

Hon'ble Pankaj Bhatia,J.

Application No.01 of 2023

1. Heard

2. This application seeks condonation of delay in filing application for recall/modification of the judgment/order dated 27.01.2023 passed in Writ-A No.2958 of 2022 (Smt. Kamlesh Kumari Vs. State of U.P. and others).

3. The cause shown is sufficient.

4. The delay, in filing the recall/modification application, is **condoned**.

On Memo

1. Heard.

2. This application seeks recall/modification of the judgment/order dated 27.01.2023 passed in Writ-A No.2958 of 2022 (Smt. Kamlesh Kumari Vs. State of U.P. and others).

3. By means of the said judgment/order, it was directed that the respondents shall pay an amount of Rs.25,89,602/- to the petitioner, in accordance with law.

4. Learned counsel for the applicant argues that only an amount of Rs.20,38,773/- was adjusted from the dues payable to the petitioner and, the same has been paid to the petitioner, however, on account of an error, the amount was indicated as Rs.25,89,602/-.

5. Considering the averments made in the application, *prima facie*, this Court had passed order on the impression that an amount of Rs.25,89,602/- has been adjusted from the dues payable to the petitioner, which is a mistake, as in the order dated 15.03.2023, it was recorded that amount of

Rs.20,38,773/- was payable to the petitioner.

6. In view of above error, being apparent on record, the judgment/order dated 27.01.2023 is **modified** by holding that the amount, withheld by the respondents towards the post-retiral-dues, shall be paid. It is further clarified that since an amount of Rs.20,38,773/- has been paid by the respondents to the petitioner, no further amount is required to be paid by the respondents to the petitioner.

7. Application stands **disposed of**.

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[Pankaj Bhatia,J.]

Order Date :- 18.10.2023 MVS/-