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

+ CONT.CAS(C) 511/2015

ADITYA INSTITUTE OF TECHNOLOGY Petitioner
Through Mr.Aseem Mehrotra, Advocate.

versus

PUNIYA SALILA SRIVASTAVA & ORS Respondents
Through Mr.Naushad Ahmed Khan, ASC with
Ms.Astha Nigam, Advocate for
GNCTD.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
% **20.07.2016**

The present contempt petition has been filed alleging wilful disobedience of the undertaking given by the respondents before the writ court as recorded in the order dated 28th May, 2015 passed in W.P.(C) No.4875/2015. In the said order, respondents had undertaken to dispose of the petitioner's representation for enhancement of fees within a period of four weeks.

Learned counsel for the petitioner states that the respondents have not tendered any apology for the delay in disposing of the petitioner's representation.

On the other hand, learned counsel for the respondent states that since the petitioner's representation was not disposed of within four weeks, the petitioner had filed a fresh writ petition being W.P.(C)

No.6807/2015 which was decided on 4th August, 2015. The new writ petition was disposed of on 4th August, 2015 with a direction to the respondents to take a decision with regard to fixation of interim fee within a further period of three months.

Having heard the learned counsel for the parties and perused the record, this Court is of the opinion that in view of the subsequent order dated 4th August, 2015 passed in W.P.(C) No.6807/2015, the respondents by not tendering an apology in their reply affidavit dated 03rd October, 2015 have not committed any contempt as by that time the deadline for deciding the interim fee had been extended. In fact, on the date when the reply affidavit was filed, there was no delay as the order dated 28th May, 2015 had merged with the order dated 04th August, 2015.

Consequently, the present contempt petition is disposed of and the notices issued are discharged.

MANMOHAN, J

JULY 20, 2016

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