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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 120/2016, C.M. APPL.6667/2016**
M/S SHRI RAM RAJA SARKAR LOK KALYAN TRUST

..... Appellant
Through : Sh. Anukul Raj, Ms. Nikita Raj and Dr.
P.K. Agrawal, Advocates.

versus

UNIQUE IDENTIFICATION AUTHORITY OF INDIA & ANR
..... Respondents

Through : Sh. Arun Bhardwaj, CGSC with Sh.
Nikhil Bhardwaj, Advocate, for Respondent No.1.
Sh. Nishant Bhardwaj, proxy counsel, for Sh. M.P.
Bhardwaj, Advocate, for Respondent No.2.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
13.10.2017

The grievance in this appeal is that the Office Memoranda dated 20.02.2014 and 15.08.2014 issued by the Unique Identification Authority of India (UIDAI) had lowered the rates of suggested penalties. The appellant had entered into a contract through an order placed by the respondents on 24.11.2012. The rates of penalties indicated in that contract are higher. The claim in the proceeding was for a direction to rationalise the rates having regard to the later Office Memoranda/Circulars.

Learned Single Judge, by the impugned order, was of the opinion that the dispute is essentially one which could be urged in civil proceedings and had relegated the appellant to such remedy.

This Court has heard learned counsel for the parties and also considered the documents. Undoubtedly, the question of procedure to be followed for imposition of penalty as well as rationalization are disputes that arise in this proceeding. At the same time, this pertained to the enforcement of the contractual rights.

Having regard to these, the Court is of the opinion that there is no infirmity with the impugned order. It is open to the appellant to avail such civil remedies as are permitted in law. The appeal is dismissed in the above terms along with the pending application.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

OCTOBER 13, 2017/ajk