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

+ LPA 199/2017 & CM No.11235/2017

DELHI AGRICULTURAL MARKETING

BOARD & ANR

..... Appellant

Through: Mr.Ajay Kumar Bhatnagar, Adv.

versus

RAJNIKANT SWAMY

..... Respondent

Through: Mr.Yatendra Sharma with
Mr.Satyavrat Sharma, Adv.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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26.04.2017

1. With the consent of the parties, the appeal is taken up for hearing.
2. The respondent herein is an employee of the appellant No.1, i.e., Delhi Agricultural Marketing Board, who was compelled to file W.P.(C) No.824/2013 for non-clearance of the medical bills of his wife. In spite of complying of the order dated 12.02.2013 passed by the learned Single Judge in W.P.(C) No.824/2013, Delhi Agriculture Marketing Board filed CM No.18852/2016 seeking modification of the order dated 12.02.2013 as well as extension of time. This application was dismissed by the order dated 27.01.2017 with cost @ Rs.10,000/-.
3. The said order is impugned before us.
4. We find that the order dated 27.01.2017 has observed that the application for modification of the order dated 12.02.2013 and extension of time was hopelessly misconceived and it was in fact an endeavour to

overreach the specific directions passed by this Court on 12.02.2013. The filing of the said application would show that the appellants have waited over three years after passing the order dated 12.02.2013 for extension of time to clear the medical dues of the respondent's wife.

5. In view of the above, we find no merit in this appeal and is hereby dismissed.

6. The appellants shall pay costs of this appeal which are quantified at Rs.5000/- to be paid to the petitioner within two weeks from today.

ACTING CHIEF JUSTICE

ANU MALHOTRA, J

APRIL 26, 2017/pmc