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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 909/2017
THE SECRETARY, ARMY ENVIRONMENTAL PARK &
TRAINING AREA Petitioner

Through: Mr. Ankur Chhibber, Adv.

Versus

G S CHADHA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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25.08.2017

CM No.30384-85/2017 (both for exemptions)

1. Allowed, subject to just exceptions.
2. The applications are disposed of.

CM(M) 909/2017 & CM No.30383/2017 (for stay)

3. This petition under Article 227 of the Constitution of India impugns the order [dated 26th April, 2017 in Civil Suit No.59190/2016 of the Court of Additional District Judge (ADJ)-05, New Delhi District, Patiala House Courts, New Delhi] of dismissal of the application of the petitioner / defendant for waiver of the costs imposed on 8th February, 2017 and 20th March, 2017.

4. The counsel for the petitioner has been heard.

5. I have, in exercise of jurisdiction under Article 227 of the Constitution of India, been not interfering with the orders of imposition of costs. However after hearing the counsel for the petitioner / defendant and knowing that the petitioner / defendant is a society promoted by the Army

Officers for promotion of the sport of Golf and considering the nature of the proceedings on 8th February, 2017 and 20th March, 2017 and on the assurances of the counsel for the petitioner / defendant that the counsel for the petitioner / defendant before the suit Court will henceforth appear diligently in the suit and not take unnecessary adjournments, it is deemed appropriate to grant liberty to the petitioner / defendant to approach the learned ADJ for waiver of the costs and the learned ADJ is requested to consider the same sympathetically.

6. The petition is disposed of.

No costs.

RAJIV SAHAI ENDLAW, J

AUGUST 25, 2017

‘gsr’..