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

+ RFA 918/2017

DELHI DEVELOPMENT AUTHORITY Appellant
Through: Mr. Sanjeev Sagar, Advocate.

versus

KRISHAN LAL AND ORS Respondents
Through

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
% **03.11.2017**

C.M. No.39503/2017 (exemption)

1. Exemption allowed subject to just exceptions.

C.M. stands disposed of.

C.M. No.39505/2017 (for condonation of delay)

2. For the reasons stated in the application, delay of eight days in filing the appeal is condoned.

C.M. stands disposed of.

+RFA No.918/2017 and C.M. No.39504/2017 (stay)

3. Counsel for the appellant presses this appeal only for setting

RFA No.918/2017

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aside of the directions contained in para 64 of the impugned judgment imposing costs of Rs.10 lacs on DDA. It is stated that the appellant will however comply with directions contained in para 65 of the impugned judgment that a detailed enquiry will be conducted against the negligent/erring officials of the appellant.

4. In my opinion, the directions contained of imposition of costs of Rs.10 lacs on the DDA which was defendant in the suit was not justified once the suit itself of the respondent/plaintiff stood dismissed. However, DDA will ensure that the vigilance enquiry is conducted against the negligent/erring officials and report be filed in the trial court positively within three months from today, failing which trial court can pass appropriate directions. Affidavit in this Court be filed by the appellant within six weeks to comply with the directions contained in para 65 of the impugned judgment which are affirmed by this Court.

5. Appeal is accordingly allowed and disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

NOVEMBER 03, 2017

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