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

+ **RFA 940/2017**

DDA

..... Appellant

Through: Mr. Sanjeev Sagar, Advocate.

versus

HARBANS LAL NARULA (DECASED) THR LRS & ORS

..... Respondents

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **08.11.2017**

C.M. No.40321/2017 (exemption)

Exemption allowed subject to just exceptions.

C.M. stands disposed of.

RFA No.940/2017 and C.M. No.40322/2017 (stay)

1. Counsel for the appellant presses this appeal only for setting aside of the directions contained in para 139 of the impugned judgment imposing costs of Rs.25 lacs on DDA. It is stated that the appellant will however comply with directions contained in para 140 of the impugned judgment that a detailed enquiry will be conducted against the negligent/erring officials of the appellant.

2. In my opinion, the directions contained of imposition of costs of Rs.25 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 140 of the impugned judgment which are affirmed by this Court.

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

VALMIKI J. MEHTA, J

NOVEMBER 08, 2017