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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 396/2018 & CM APPL. 29021/2018

GAJENDRA KUMAR JHA

..... Appellant

Through: Mr. Sanjay Kumar, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms. Suparna Srivastava with
Ms. Sanjna Dua, Adv. for R-1 to 3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

30.08.2018

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Considering the fact that the appellant has now vacated the quarter, we see no reason to keep the matter pending or proceed with any other issue connected thereto including levy of damages by the respondents on the appellant. In Para 28 of the impugned judgment, the learned Single Judge has dealt with the issue in the following manner:

“28. It is made clear that the respondents shall be entitled to recover further dues from the petitioner till the date of eviction of the petitioner for the period of unauthorised occupation.”

That being so, if the respondents proceed to take any action for recovery of further dues or damages from the appellant, they shall do so after following due process of law and in case any adverse action is taken,

liberty shall be available to the appellant to challenge it in accordance with law.

In view of the aforesaid, the appeal stands disposed of. The pending application also stands disposed of accordingly.

CHIEF JUSTICE

V. KAMESWAR RAO, J

AUGUST 30, 2018
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