

\$~8

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CM(M) 1111/2018

M/S TDI INFRASTRUCTURE PVT LTD Petitioner

Through: Ms.Kanika Agnihotri and
Mr.Charitarth, Advocates

versus

MONIKA GARG & ANR Respondents

Through: Mr.Shray Kaushal, Advocate

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

%

19.12.2018

It has been submitted on behalf of the petitioner that in terms of order dated 13.12.2018 the written statements of the petitioner has already been filed before the State Commission vide diary No. 11045/2018. As observed vide proceedings dated 13.12.2018, the petitioner has challenged the impugned order dated 11.7.2018 of the learned Bench of NCDRC in First Appeal No. 1089/2018 whereby the permission was granted for submission of the written version of the petitioners herein subject to payment of costs of Rs.1,00,000/- to be paid in view of the non-submission of the written versions within time.

The petitioner submits that the costs that have been imposed are unreasonable and the petitioner's counsel was prevented from putting in appearance due to being busy in another assignment and could not reach the learned Commission in time. The application is vehemently

opposed on behalf of the respondents.

Taking into account however the factum that all that the petitioner seeks vide the present petition is imposition of reasonable costs submitting inter alia to the effect that in the similar circumstances before the same forum, the costs as imposed in First Appeal No 1215/16 and 1216/16 vide an order dated 2.5.2018 were to the tune of Rs.10,000/- , in First Appeal No. 2492/2017 vide an order dated 18.4.2018 were to the tune of Rs.25,000/-, in First Appeal No. 406/2018 vide an order dated 6.6.2018 were to the tune of Rs.30,000/-, in First Appeal No. 414/2017 vide an order dated 2.11.2017 were to the tune of Rs.2000/-, in First Appeal No. 31/2018 vide an order dated 15.3.2018 to the tune of Rs.20,000/- , in First Appeal No.1551/16 vide an order dated 27.10.2017 to the tune of Rs.20,000/- taking into account also the proceedings dated 13.12.2018 in the present petition, the costs as imposed vide the impugned order are reduced to Rs.40,000/- to be paid by the petitioner to the respondent on the date fixed before the NCDRC on 6.2.2018.

The petition is disposed of accordingly.

ANU MALHOTRA, J

DECEMBER 19, 2018/SV