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

+ **CM(M) 1182/2018**

ASHISH NEGI

..... Petitioner

Through: Mr. Archit Upadhayay, Advocate
with Ms. Harshika Verma, Advocate.

versus

NIKHIL ANAND & ORS

..... Respondents

Through: Mr. Pankaj Singh Thakur, Advocate
for Mr. Sameer Nandwani, Advocate
for R-3.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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01.11.2018

CM APPL.40308/2018

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CM(M) 1182/2018

Notice. Mr. Pankaj Singh Thakur, Advocate accepts notice on behalf of R-3.

Counsel for the petitioner has drawn the attention of this Court to the order dated 03.04.2018, passed by the learned Tribunal, wherein it is stated that the petitioner shall not be entitled to any interest on the claimed amount for the period during which the matter remained sine die. He has further submitted that the matter was adjourned sine die by the learned Tribunal on its own and prays that the impugned order dated 03.04.2018 be set aside.

Learned counsel for the respondent has pointed out that the claimant did not file the disability certificate in proper time and because of this reason, the matter was lingering on for four years before the learned Tribunal and, therefore, the impugned order was rightly passed by the Court below.

Keeping in view the submissions of learned counsel for the petitioner and in view of the fact that since the application seeking restoration of the claimed petition was allowed by the learned Tribunal, therefore, there would not be any change in character of the petition. Consequently, the order dated 03.04.2018 is set aside.

A copy of this order be sent to the Court below forthwith for necessary compliance.

With aforesaid directions, this petition is disposed of.

Copy of this order be given *dasti* under the signatures of Court Master.

I.S.MEHTA, J

NOVEMBER 01, 2018

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