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

+ LPA 544/2017

DR K.S JAWATKAR

..... Appellant

Through: In person.

versus

THE CHANCELLOR JAWAHARLAL NEHRU UNIVERSITY &
ORS

..... Respondents

Through: Ms. Monika Arora and Mr. Harsh
Ahuja, Advs.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **22.02.2019**

CM. No. 8670/2019 (for direction)

This application has been filed by the appellant with the following
prayers:

*“It is therefore most respectfully prayed that this Hon’ble Court
be pleased to*

*(A) Direct Registrar General of High Court of Delhi
to refund the costs of Rs.60,000/- to the petitioner
deposited with him and kept in Fixed Deposits to
entertain the appeal vide order dated 27.08.2018 in
LPA No. 544/2017; and*

*(B) Pass such other orders which this Hon’ble Court
may deem fit and proper in the facts and circumstances
of the case.”*

Suffice it to state that the learned Single Judge while dismissing the

writ petition had imposed a cost of Rs.60,000/- to be paid in the manner suggested by the learned Single Judge. On August 27, 2018, when the appeal was listed before this court, this court had directed the appellant to deposit Rs.60,000/- with the Registrar General of this Court. It was also observed by the court that the appeal shall be entertained post deposit of the cost. On November 30, 2018, the appeal was dismissed by upholding the judgment of the learned Single Judge.

The plea of the appellant in this application is that this court had dismissed the appeal with no cost and he is a person without salary and pension for more than 18 years now and facing hardship to meet his day to day expenses.

Seeing the conclusion of learned Single Judge in Para 25 of the judgment dated 3rd March, 2017 thereby imposing cost, which we reproduce as under, we do not see any reason to grant the prayers made by the appellant in this application:

“25. Since the petitioner is found to be indulging in and is habitual of unnecessary repeated litigations, although the issues argued and urged have achieved finality, the only way to stop the petitioner from indulging in repeated litigations is to impose costs upon the petitioner. Although, the facts of the present case require that in view of wastage of valuable judicial time of this Court, and unnecessary

expenditure to the employer/JNU, the writ petition must be dismissed with costs of at least Rs. 2,00,000/- with Rs.1,00,000/- being payable to the Prime Minister's National Relief Fund and Rs.1,00,000/- to the employer/JNU, however, considering that the petitioner was a teacher in JNU, this writ petition is dismissed with costs of only Rs.60,000/-, out of which Rs.30,000/- shall be paid to the respondent no. 4/employer/JNU and costs of Rs.30,000/- being deposited with Friendicoes, No. 271 & 273, Defence Colony, Flyover Market, Jangpura Side, New Delhi-110024. Costs be paid in six weeks failing which the same can be recovered as per law."

The application is dismissed.

CHIEF JUSTICE, J

V. KAMESWAR RAO, J

FEBRUARY 22, 2019/jg