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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.APP.(C) 8/2019

DALBIR SINGH

..... Appellant

Through: Mr Kaushal Yadav, Ms Ankita
Agarwal and Mr Nandlal Kumar
Mishra, Advocates.

versus

R R BHATNAGAR & ANR

..... Respondents

Through: Ms Amrita Prakash, CGSC for UOI
with Mr Hari Shankar Sharma,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

29.07.2019

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CM 33620/2019 (exemption)

1. Allowed, subject to all just exceptions.

CONT.APP.(C) 8/2019

2. The grievance of the Appellant is that despite a time-bound directions being issued by the Division Bench of this Court in its judgment 11th April 2019, there has been no compliance. In terms of the said order the Appellant was required to be reinstated “not later than 1st May, 2019” and arrears are to be paid within a period of 12 weeks from 11th April, 2019. Neither has been done till date.

3. It appears that when reinstatement did not take place, a contempt petition was filed by the Appellant which came up first for hearing on 31st May, 2019. On that date the learned Single Judge granted the Respondents 4 more weeks for compliance. It is not understood as to how the learned Single Judge could have extended the time for compliance beyond what was granted by the Division Bench.

4. It must be noted at this stage that the Respondents themselves have till date neither filed any application before the Division Bench seeking extension of time nor have they filed any Special Leave Petition before the Supreme Court against the said order dated 11th April, 2019.

5. The learned Single Judge has by the impugned order dated 12th July 2019 advanced the date of hearing of the contempt petition for 2nd September, 2019. Till date, however, the order dated 11th April 2019 has not been complied with.

6. Learned counsel for the Respondents undertakes that an affidavit, setting out in detail, the steps taken by the Respondents for complying with the time-bound directions given by the Division Bench would be filed before the learned Single Judge, positively on or before 13th August, 2019. The Court expects that this undertaking will be duly complied with.

7. On the next date of hearing before the learned Single Judge i.e. 2nd September, 2019, unless the order of the Division Bench has been stayed by a superior Court, the learned Single Judge will proceed to ensure that its compliance is effected.

8. The appeal is disposed of in above terms.

9. *Dasti* under the signatures of the Court Master.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 29, 2019
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