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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2145/2018, CM APPL. 8880/2018 and CM APPL.**
43035/2019

SECRETARY, CABINET SECRETARIAT Petitioner

Through: Mr.Kirtiman Singh, CGSC.

versus

DR. A.S. NARAYANA RAO Respondent

Through: None.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% **13.11.2019**

1. The following order was passed by this Court on 9th March, 2018:-

“1. Issue notice.

2. The respondent, who appears in person, accepts notice and seeks time to file a counter affidavit. Counter affidavit be filed within four weeks with a copy to the other side. Rejoinder, if any, shall be filed within four weeks thereafter.

3. The respondent who appears in person states the amount due and payable under the impugned judgment dated 08.11.2017, would be to the tune of Rs. 20 lakhs.

4. Subject to the petitioner depositing a sum of Rs.20 lakhs towards the amount due and payable to the respondent towards gratuity, pension etc., in terms of the impugned judgment dated 08.11.2017 within four weeks from today, no coercive steps shall be taken against it.

5. Immediately upon receipt of the aforesaid amounts, the Registry shall place the same in a FDR, initially for a period of one year to be renewed thereafter from time to time, till further

orders.

6. Learned counsel for the petitioner informs us that the appeal preferred by the CBI against the judgment dated 11.12.2015, passed by the learned Special Judge CBI (PC Act), registered as Crl. L.P. No. 538/2016, is listed before the concerned Bench in the month of April, 2018.

7. List the present petition on 03.8.2018, to await a decision in the aforesaid appeal.

8. This order has been passed without prejudice to the rights and contentions of the petitioner, as taken in the present petition.

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2. The Court is informed that CBI's Criminal Appeal No. 382 of 2017 arising from the above Crl. Leave Petition 538 of 2016 stands dismissed and that there is no proposal to file any further appeal or petition against such dismissal.

3. In that view of the matter, the impugned order of the Tribunal is affirmed. The amount deposited by the Petitioner in this Court together with the interest accrued thereon be released forthwith to the Respondent by the Registry.

4. The Court further directs that the Petitioner will now strictly comply with the Tribunal's impugned order in letter and spirit and issue the appropriate orders and make payments of arrears to the Respondent, after adjusting the mount released to him, not later than twelve weeks from today.

5. The petition is dismissed and the pending applications are disposed of in the above terms.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 13, 2019
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