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

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+ **LPA 95/2019**

UNION OF INDIA

..... Appellant

Through: Mr Arun Bhardwaj, Advocate.

versus

KULAMANI BISWAL & ANR

..... Respondents

Through: Mr Gaurav Wadhwa, Advocate for R-1.

Mr Puneet Taneja and Ms Laxmi Kumari, Advocates for NTPC/R-2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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12.02.2019

CAV 129/2019

1. Since the learned counsel for the Respondents have put in appearance, the caveat is discharged.

CMs 6465-66/2019 (exemption)

2. Allowed, subject to all just exceptions.

CM 6464/2019 (delay)

3. For the reasons explained in the application, the delay in re-filing the appeal is condoned and the application is allowed.

LPA 95/2019 & CM 6463/2019 (stay)

4. Considering the fact that the tenure of the Respondent No.1 as Director

(Finance) NTPC has come to an end on 7th December 2018, without the Appellant implementing the impugned order of the learned Single Judge, the Court sees no reason why, in the facts and circumstances of the case, it should interfere. The questions of law raised by the Appellant are left open to be considered in an appropriate case.

5. The appeal is accordingly dismissed. Pending application is also disposed of.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 12, 2019

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