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

+ LPA 254/2020 & CM APPLs. 22910-22911/2020

% *Decided on: 17th September, 2020*

NIRANJAN MISHRA Appellant

Through: Mr. Jayant K. Mehta, Mr. Rahul
Malhotra, Advocates

versus

THE INSTITUTE OF COST ACCOUNTANTS
OF INDIA & ORS. Respondents

Through: Mr. Sudhir Nandrajog, Sr. Adv. with
Mr. Bhaskar Bhardwaj & Ms. Rhea Luthra,
Advocates for Respondents 1, 2 & 4
Mr. Piyush Sharma, Mr. D. Bhattacharya, Advs. for
Respondent No. 3

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

CM APPL. 22911/2020 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

LPA 254/2020 & CM APPL. 22910/2020 (for interim directions)

1. The present Letter Patents Appeal has been preferred by the original petitioner, challenging the order passed by the learned Single Judge in W.P.(C) No.6424/2020 dated 11.09.2020 [Annexure-P-1 to the memo of this LPA].
2. Learned counsel for the appellant, after canvassing arguments at length, submitted that it would suffice for the disposal of this LPA, if the respondent no. 1 gives one day's further time to file reply to the complaint [Annexure-P-2] and *prima facie* opinion [Annexure-P-4].
3. Learned senior counsel appearing for respondents has also referred to several unnecessary and lame excuses advanced by this appellant [original petitioner] which have been advanced for getting extension of the time. Nonetheless, it is fairly submitted by the learned senior counsel for Respondent no.1 that though there are no genuine reasons for extension of the time to file reply, but they are ready to give one day's further time for filing reply to the complaint [Annexure P-2] and the *prima facie* opinion [Annexure P-4], and to a corresponding postponement of the date of hearing, as directed by the learned Single Judge.
4. As the learned counsel for the appellant is not pressing the decision on merits, we are not entering into the merits of the case. By consent, he is ready to accept an order for extension of a day's time for filing the reply.
5. In view of the aforesaid submissions and also looking to the fact that

the request of this appellant has been accepted by the respondent no.1, one day's further time is granted to this appellant [original petitioner] to file reply to the complaint as well as to the *prima facie* opinion which are at Annexure P-2 and Annexure P-4 respectively, by 12 noon of 19.09.2020. Further, the personal hearing shall be held on 19.09.2020 itself at 2:00 PM by the respondents and the appellant shall cooperate during the hearing before the respondents.

6. With these observations, the LPA is disposed of. All pending applications shall also stand disposed of accordingly.

CHIEF JUSTICE

PRATEEK JALAN, J

SEPTEMBER 17, 2020
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