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

+ **W.P.(C) 6664/2017**

**INDIAN INSTITUTE OF MASS COMMUNICATION
(IIMC)**

..... Petitioner

Through: Mr. Prashant Kumar, Advocate with
Mr. Rajan Kumar Singh, Advocate

Versus

DR. SUNETRA SEN NARAYAN & ORS. Respondents

Through: Mr. Anshuman Sahni, Advocate for R-1
to R-4
Mr. Vivek Goyal, CGSC for R-5 & R-6

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

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24.06.2020

The present matter has been taken up for hearing by way of Video Conferencing on account of lockdown due to COVID-19.

CM APPL.13235/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/respondent No.4 seeking exemption from filing duly attested affidavit in support of the accompanying application and to pay the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/respondent No.4 is allowed to file the duly attested affidavit within a period of one week from the date of resumption of regular functioning of the Court. Further, the

applicant/respondent No.4 is allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court.

With the above directions, the present application is disposed of.

CM APPL.13234/2020 (Directions)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been instituted on behalf of the applicant Mr. Swapan Brahmachari, arrayed as respondent No.4, in the accompanying Writ Petition (Civil) No.6664/2017 titled as '*Indian Institute of Mass Communication vs. dr. Sunetra Sen Narayan & Ors.*', which came to be disposed of by a coordinate Bench of this Court vide order dated 05.02.2020, prays as follows:

- (i) Direct the Hon'ble Registrar General to release the deposited Amount of Rs.10,08,273/- alongwith interest accumulated thereon till date, directly through Electronic Banking / Transfer (NEFT/RTGS) to the Bank Account no. 1201601304; IFSC: CB1N0283535; Central Bank of India, IIM Branch belonging to the Respondent No. 4;
- (ii) Pass such other or further order(s) as may be deemed fit and proper in facts and circumstances of the present case.

The solitary prayer sought in the present application is modification of the order dated 05.02.2020 to the extent that the Registrar General of this Court may be directed to release the deposited amount of Rs.10,08,273/-, along with interest accumulated thereon till date, directly by way of Electronic Banking/Transfer (NEFT/RTGS) to the Bank Account No.1201601304, IFSC-CB1N0283535, Central Bank of India, IIMC Branch, of which applicant/respondent No.4 is the holder, in lieu of the

directions issued by this Court on 05.02.2020, as contained in paragraph 11 thereof, which directed as follows:

“11. Consequently, the Court finds no reason to interfere with the impugned order of the CAT. The amount deposited by the IIMC in this Court pursuant to the order dated 6th December, 2017 shall be released forthwith to Respondent No.4 together with the interest accrued thereon.”

Mr. Anshuman Sahni, learned counsel appearing on behalf of the applicant/respondent No.4 states that the directions contained in the above extracted order dated 05.02.2020 have not been complied with in view of the Covid-19 pandemic and the lockdown as well as the restricted functioning that followed. Learned counsel appearing on behalf of the applicant/respondent No.4 further invites our attention to the circumstance that he is an aged person and currently stated to be recovering from a bypass surgery.

Issue notice.

Counsel, as above, accept notice on behalf of the non-applicants and fairly do not oppose the application.

In view of the foregoing and the extraordinary circumstances that are attendant, consequent upon the Covid-19 pandemic, we allow the present application. The amount deposited by the IIMC in this Court pursuant to the order dated 06.12.2017 shall be released to the applicant/respondent No.4, alongwith the interested accumulated thereon through Electronic Banking/Transfer (NEFT/RTGS) to his Bank Account No.1201601304, IFSC-CB1N0283535, Central Bank of India, IIMC Branch. It is, however, clarified that the charges incurred towards the electronic banking transfer

of the aforesaid amount will be deducted from the total aggregate amount due to applicant/respondent No.4.

With the above directions, the application is disposed of.

A copy of this order be provided electronically to learned counsel appearing on behalf of the parties. A copy of this order be uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

June 24, 2020

dn/as