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

+ **MAC.APP. 64/2023 & CM APPL. 5381/2023**

HARVINDER SINGH Appellant

Through: **Ms. Dipa Rakesh Kumar, Adv.**

versus

ANANDI DEVI & ORS.

..... Respondents

Through: **Mr. S. N. Parashar, Mr. Palvinder Singh, Mr. S.N. Nomani, Advs. for R-1 to R-5 alongwith claimants. Ms. Manoj Kumar Sharma, Mr. Daleep Dhayani and Mr. Pradeep Mishra, Advs. for R-6.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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19.02.2024

CM APPL. 5382/2023 (delay of 236 days in re-filing the present appeal) & CM APPL. 5380/2023 (delay of 313 days in filing the present appeal)

1. For the reasons stated in both the applications, the delay of 313 days in filing the present appeal and delay of 236 days in re-filing the present appeal, are condoned.

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2. Learned counsel appearing for the appellant requests for a short adjournment stating that the main counsel i.e. Mr. Anant Agrawal, Advocate, who was representing the appellant driver of the offending vehicle, has since expired.



3. However, the learned counsel appearing for the claimants as also the learned counsel appearing for the Uttarakhand Transport Corporation have pointed out that the latter MAC. APP. 791/2019 which has since been decided by this Court *vide* judgment dated 06.05.2021 and the appeal preferred by Uttarakhand Transport Corporation has since been dismissed and the amount of compensation has already been released to the claimants with interest up to date.

4. Although request for an adjournment is made on behalf of the appellant, nothing survives in the present appeal for the simple reason that the principal employer has already made the payment of compensation. Any how even on perusal of the appeal, this Courts finds that the appellant has not been subjected to any disciplinary proceedings by his employer, and for that reason also, nothing survives in the present appeal.

5. The present appeal is dismissed as having been rendered infructuous.

DHARMESH SHARMA, J.

FEBRUARY 19, 2024/sa