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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 181/2023 & CM APPL. 11909/2023 -Stay

FOOD CORPORATION OF INDIA

..... Appellant

Through: Mr. Om Prakash, Mr. Pankaj Kumar
Yadav, Advs.

versus

TEJ SINGH

..... Respondent

Through: Mr. Manoranjan Mishra, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

07.05.2024

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1. The present appeal under Clause X of the Letters Patent seeks to assail the order dated 06.12.2022 (released on 06.01.2023) passed by the learned Single Judge in W.P.(C) 12941/2009. Vide the impugned order, the learned Single Judge has set aside the order dated 18.02.2003 imposing a penalty of censure and directing recovery of a sum of Rs. 64,756/- from the respondent. The learned Single Judge has consequently also set aside the orders dated 10.08.2004 and 02.03.2009 passed by the Appellate Authority and the Reviewing Authority respectively.
2. On 30.01.2024, this Court after hearing the parties at length had granted time to the learned counsel for the appellant to obtain instructions as to whether the appellant would be agreeable to making a recovery of only Rs.12,235/- from the respondent as against the recovery of Rs.64,750/- already made from him. Today, learned



counsel for the appellant submits that the said proposal is acceptable to the appellant and therefore, subject to the interim order being set aside, the appellant will be willing to refund the differential amount of Rs.52,521/- to the respondent.

3. In the light of the aforesaid and taking into account the peculiar facts of the present case, the appeal is disposed of by modifying the impugned order and directing that upon the appellant refunding a sum of Rs.52,521/- to the respondent within a period of three weeks from today, his claim will stand satisfied. It is further directed that if the said amount is not paid to the respondent within the time of three weeks being granted, the appellant will be liable to pay interest @12% p.a.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 7, 2024
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