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* **IN THE HIGH COURT OF DELHI AT NEW DELHI
NATIONAL LOK ADALAT**

+ **W.P.(C) 7370/2009**

CHANDERSHEKHAR MALHOTRA(since deceased) Petitioner
Through: **Mr. Sunny Malhotra, Legal heir.**

versus

NORTH DELHI POWER LTD Respondent
Through: **Mr. Amit Singh, AGM Legal for Tata
Power DDL (Formerly known as
NDPL)**

CORAM:

**HON'BLE MR. JUSTICE MANOJ JAIN(PRESIDING OFFICER)
MR. K. VENKATRAMAN, ADVOCATE (CO-MEMBER)**

ORDER

11.05.2024

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1. The present Civil Writ Petition is being filed by the petitioner challenging the Speaking Order dated 06.01.2009 and impugned DAE assessment bill of Rs 30,51,450/- with due date 26.01.2009 raised pursuant to the inspection report dated 01.09.2005 against CA No 60004496695, EAC-45686.
2. During the pendency of the Writ Petition, legal heirs of deceased petitioner who is stated to have died on 11.03.2019, was brought on record. It was submitted that the wife of the petitioner, already pre-deceased, and the applicants being only surviving class 1 legal heir of deceased petitioner was brought on record vide Order dated 08.04.2024 passed in CM application 20713/2024 (under order 22 rule 3 CPC) .
3. We have interacted with the learned counsel/parties concerned. Both the parties have amicably settled all the disputes with regard to subject matter

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of Writ Petition containing Speaking Order dated 06.01.2009 and impugned DAE assessment bill of Rs 30,51,450/- with due date 26.01.2009 raised pursuant to the inspection report dated 01.09.2005 against CA No 60004496695, EAC-45686.

4. It is agreed between the parties that subject matter of Writ Petition has been settled on payment of the total lump sum amount Rs. 7 lacs towards full and final settlement against the impugned DAE assessment bill of Rs 30,51,450/- raised in pursuant to inspection dated 01.09.2005 against CA No 60004496695, EAC-45686.

5. In view of the financial difficulty as submitted by Ld. Counsel for the petitioner, the petitioner has requested to pay the settled amount of Rs. 7 lacs to the respondent in five instalments as per schedule given below:

1. Rs. 1.5 lacs on or before 31st May 2024.
2. Rs. 1.5 lacs on or before 30th June 2024.
3. Rs. 1.5 lacs on or before 31st July 2024.
4. Rs. 1.5 lacs on or before 31st August 2024.
5. Rs. 1 lacs on or before 30th September 2024.

6. It is agreed between the parties that the payment shall be made to the respondent through any available online mode including RTGS/NEFT etc.

7. It is agreed between the parties that in case the petitioner makes default in any of the above-mentioned schedule, he shall be liable to make payment of entire DAE assessment bill of Rs.30,51,450/-.

8. It is agreed between the parties that after realization of the payments in terms of this Order by respondent, DAE assessment bill as well the Inspection Report shall be closed as full and final settlement of all the dispute with regard the said bill. Ld Counsel for the parties/AR has submitted that the present Writ Petition be disposed of on the basis of the present settlement arrived



between the parties.

9. We order accordingly in terms of the above settlement.
10. Writ petition stands disposed of accordingly.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024/sw