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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 239/2016**
KISHOR KUMAR MAKWANAPetitioner

Through: None

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Vivek Goyal, CGSC with Mr.
Gokul Sharma and Ms. Chanchal,
Advocates

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **06.12.2024**

CM APPL. 71354/2024-Exp

1. Allowed subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 71353/2024-Delay 89 days, CM APPL. 71355/2024-Delay 37 days in re-filing.

3. These applications are filed by the applicants/ respondents seeking condonation of delay in filing and re-filing the Review Petition.
4. Taking into account the duration of the delay, we allow these applications for the reasons stated therein and take up the Review Petition for consideration today itself.
5. The applications accordingly stand disposed of.

REVIEW PET. 458/2024-for review of judgment dt. 15.05.24 by respondents.

6. The present review petition preferred by the applicants/ respondents seek review of the order dated 15.05.2024.



7. Learned counsel for the respondents submits that this Court, while upholding the order passed by the learned Central Administrative Tribunal and directing that the higher salary paid to the petitioner during the period when he was working as a Research Officer could not be recovered, had erroneously recorded/ observed in para 5 of order/ judgment dated 15.05.2024 that there were no complaint against the petitioner. He submits that this is, in fact, factually incorrect, particularly, since there were a number of complaints against the petitioner from various banks from where he had taken loans. He, therefore, prays that the order be reviewed.

8. Having considered the submissions of learned counsel for the applicants/ respondents, we find absolutely no merit in the present application as the reference to the word ‘complaints’ in the order only implies that there were no complaints regarding his discharging duties as a ‘Research Officer’ during the period of 14 years. In any event the aforesaid pleas being new and sought to be raised for the first time, at this stage by virtue of the present application, are beyond the scope of review.

9. We, therefore, dismiss the present review petition alongwith the accompanying applications.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 6, 2024/akr