



\$~97

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

+ **W.P.(C) 6151/2025**

**NARENDER KUMAR GUPTA**

.....Petitioner

Through: Counsel (appearance not given).

versus

**INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH &  
ANR.**

.....Respondents

Through: Mr. Amitesh Kumar, Ms. Priti Kumari and Ms. Mrinal Kishor, Advocates for R1.

Ms. Theepa Murugesan, SPC with Mr. Yogesh Dubey and Mr. Kaushal Kishor, Advocates for R2.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

%

**15.05.2025**

**CM APPL. 29601/2025 (for modification of order dated 08.05.2025)**

1. The petitioner has filed this application for certain modifications in order dated 08.05.2025, by which the captioned writ petition was disposed of.
2. The principal modification is with regard to paragraph 13 of order dated 08.05.2025, which reads as follows:

*“13. Apparently, the amount of Rs. 5,41,689/-, as contemplated by the orders dated 28.12.2018 and 19.01.2021, has not yet been recovered from the petitioner. Mr. Sagar submits that the same may be adjusted against the amount that will be due to him, if the MACP benefits are granted. The aforesaid suggestion is accepted; however, this is subject to the condition that the petitioner will file an undertaking before the Court within one week from today to the effect that, if MACP benefits are not granted to him, he will repay*



*the said amounts within three weeks of receipt of the decision to be taken by the ICSSR in terms of this order.”*

3. Reliance is placed upon a communication of the Indian Council of Social Science Research [“ICSSR”] dated 16.10.2019, to submit that recoverable amount of Rs. 5,41,689/- has already been recovered from the petitioner’s gratuity. The said communication was not part of the writ petition, but Mr. Amitesh Kumar, learned counsel for ICSSR, has taken instructions, and confirms that the said amount has already been recovered.
4. The order dated 08.05.2025 is therefore modified, to the extent that the petitioner is relieved from the obligation to furnish an undertaking in terms of paragraph 13 of the order.
5. The second modification sought is that the respondent be directed to decide the question of the petitioner’s Modified Assured Career Progression [“MACP”] benefits within a shorter period than the period of five months granted in the said order. I do not find any substantial reason to modify the order in this regard.
6. The third prayer in the application is for a direction upon the respondents to release an amount of Rs. 10,34,589/- which, according to the petitioner, remains due to him, after adjusting recovery of the amount of Rs. 5,41,689/-, but without taking into account the MACPS benefits claimed by him.
7. According to Mr. Kumar, however, the amount of Rs. 5,41,689/- has been adjusted from this very amount of Rs. 10,34,589/-, and the balance amount of Rs. 4,92,900/- has been withheld, to recover any excess payment, which may be found due from the petitioner upon conclusion of an inquiry.



8. As far as this aspect is concerned, learned counsel for the parties submit that no adjudication is required, at this stage, in the context of the reliefs sought in the writ petition. The parties will reconcile the accounts after a decision is taken on the question of MACP benefits, and the petitioner's dues will be recomputed, if necessary, in accordance with law.

9. The application is disposed of in the above terms.

**PRATEEK JALAN, J**

**MAY 15, 2025**

*UK/AD/*