

EX. NO. 175/16
RADHEY ORS. VILL. KONDLI
VS.
UNION OF INDIA

17.11.2020

Present : Sh. Prashant Gaur, Ld. Counsel for the DH.
Sh. Mridul Jain, Ld. Counsel for the Union of
India.

An application also copy of the memo of SLP(C) No. 1641 of 2013, titled as Delhi Jal Board, through its Chief Executive Officer, Varunalaya, Jhandewalan Extension, New Delhi,(NOT A PARTY) v. Union of India and Others, also copy of case details/diary no. 35500/2012 filed on 20.10.2012 in respect of case/SLP(C) No. 001641 of 2013, registered on 07.01.2013 has been filed and copy has already been supplied to Sh. Jain.

It appears that the order of the Hon'ble Supreme Court, as above was passed in SLP(C) No. 001641/2013 with CC No. 001904/2013, registered on 1401-2013 which pertains to item No. 6 in the memo of the parties attached to the Order and the same SLP was directed against the judgment and decree passed in RFA No. 266/1999, dated 07.12.2000, by the Hon'ble High Court of Delhi and it further appears that the same order pertains to the judgment and decree dated 07.12.2000, passed by the Hon'ble High Court of Delhi in RFA No. 689/1988, dated 07.12.2000 as well as RFA No. 55/2001 dated 10.01.2002,

EX. NO. 175/16
RADHEY ORS. VILL. KONDLI
VS.
UNION OF INDIA

however, in the present case, the order/judgment and decree dated 07.12.2000 was passed by the Hon'ble High Court of Delhi in RFA No. 591/88, therefore, the order dated 14.01.2013, passed by the Hon'ble Supreme Court in above SLP/CC No. 1904 of 2003 does not pertain to the order passed by the Hon'ble High Court, dated 07.12.2000, in RFA No. 591/88, in the present matter, thereby, dismissing the SLP, preferred by the Delhi Jal Board, however, further, the order also does not impinge qua the other execution pending in this court, passed against the judgment and decree dated 07.12.2000, in RFA No. 72/1989, titled as Radhey and Others, appellant v. Union of India through the LAC, Delhi and as such there is no requirement for asking the respondents/JDs to submit copies of the application/(s) for condonation of delay, moved before the Hon'ble Supreme Court, accompanying the respective SLP/(s) as listed in the memo of parties in CC No. 23622/2012, directed against the judgment and decree dated 07.12.2000, passed in RFA No. 266/1999 between the same parties, also RFA NO. 689/1988 and 55/2001 and therefore it is clear that the memos/diary numbers, now, being filed by the Ld. Counsel for the DH, though pertains to SLP Nos. 001641/2013 with CC No. 1904 of 2013, listed at item No. 6 in the order dated 14.01.2013

EX. NO. 175/16
RADHEY ORS. VILL. KONDLI
VS.
UNION OF INDIA

of the Hon'ble Supreme Court, has no bearing with both the execution petitions.

It further appears that the matter is being listed for further consideration/clarification/order since 19.09.2020 and thereafter two dates of hearing have already gone by. Let the matter therefore be fixed for passing of Order on 05.12.2020.

Sanatan Prasad
Additional District Judge-01
(East)/KKD/Delhi/17.11.2020