

\$~11

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 62/2019**
NORTH DELHI MUNICIPAL CORPORATION

..... Appellant

Through : Ms.Mini Pushkarana, Ms.Swagata,
Ms.Shina Pandey and Ms.Rikita
Ganju, Advocates.

versus

DIVYA JAIN & ANR

..... Respondents

Through : Mr.Yeeshu Jain and Ms.Jyoti Tyagi,
Advocates for respondent No.2/DOI.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **10.05.2019**

CM APPL No. 19892/2019

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

LA.APP. 62/2019 & CM APPL Nos.19891, 19893/2019

It is the submission of the learned counsel for the petitioner that impugned judgment has been passed on the basis of the decision in *M/s. India Export Pvt. Ltd. vs. UOI*, bearing LAC No.49/08 and judgment in the case of *Smt.Rajinder Kaur vs. UOI & Anr* in LAC No.106/2011 pertaining to the same award dated 30.08.2006 as in the present case. The aforesaid decisions have been relied upon by the learned Trial Court in the impugned judgment and decree and that the same have been challenged in various appeals filed before this Court wherein the operation of the

impugned judgment and decree has been stayed subject to deposit of 50% of the decretal amount. The details of such appeals have been given in para No.2 of this petition.

In the circumstances, notice is issued to the respondents. The learned counsel for the respondent No.2/UOI accepts notice. Notice be issued to respondent No.1 through all modes returnable on 09.10.2019 and subject to deposit of 50% of the decretal amount with the learned Registrar General of this Court within six weeks from today, the operation of the impugned judgment and decree shall remain stayed. Order *dasti*.

YOGESH KHANNA, J.

MAY 10, 2019

M