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

+ LPA 521/2022

ASHOK KUMAR BHATIAAppellant

Through:

versus

ASSISTANT GENERAL MANAGER, STATE BANK OF
INDIARespondent

Through: Mr. Rajiv Kapur and Mr.
Akshit Kapur, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER
01.10.2024

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CM APPL. 52578/2024

1. This is an application by the petitioner seeking advancement of hearing for LPA 521/2022 presently listed on 19 December 2024. Learned Counsel for the petitioner points out that there is no compliance, till date, with the order dated 16 May 2024 passed by this Court, whereby an amount of ₹ 7.5 lakhs was directed to be paid to his client.

2. Mr. Kapur, learned Counsel for the respondent-Bank submits that his client also challenged the order forming subject matter of the present appeal by way of LPA 123/2022 and that, by order dated 17



December 2022, the Division Bench of this Court stayed the direction for payment as contained in the judgment of the learned Single Judge under challenge.

3. He submits, therefore, that the respondent has moved an application for modification of the said order, being CM APPL. 34385/2024.

4. *Prima facie*, a reading of the order dated 16 May 2024 passed by the Coordinate Bench indicates that the Bench was conscious and made aware of the existence of the prior LPA 521/2022 and, in order to balance equities and without prejudice to the rights of the parties in both the LPAs, directed payment of ₹ 7.5 lakhs to the petitioner.

5. Mr. Kapur points out, at this stage, that what is listed today is an application for early hearing and not CM APPL. 34385/2024.

6. This is correct.

7. Keeping in mind the fact that the order dated 16 May 2024 has yet to be complied with, list CM APPL. 34385/2024 on 7 October 2024.

8. CM APPL. 52578/2024 stands disposed of accordingly.

9. It is made clear that the Court would first take up CM APPL. 34385/2022 and in case the court is of the view that there has been no compliance with the order dated 16 May 2024, the respondent would



be heard on its LPA only after the order is complied with.

C.HARI SHANKAR, J.

DR. SUDHIR KUMAR JAIN, J.

OCTOBER 1, 2024/ar

Click here to check corrigendum, if any