

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 666 OF 2022
IN CIVIL APPEAL NO. 5535 OF 2019

WITH

MA No. 667 OF 2022 in C.A. No. 5536 OF 2019

MA No. 668 OF 2022 in C.A. No. 5537 OF 2019

MA No. 669 OF 2022 in C.A. No. 5538 OF 2019

MA No. 670 OF 2022 in C.A. No. 5539 OF 2019

MA No. 671 OF 2022 in C.A. No. 5540 OF 2019

MA No. 672 OF 2022 in C.A. No. 5541 OF 2019

MA No. 673 OF 2022 in C.A. No. 5542 OF 2019

NORTH DELHI MUNICIPAL CORPORATION

APPELLANT(S)

VERSUS

KISHORI MAL JOSHI (D) THR. LRS. & ANR.

RESPONDENT(S)

O R D E R

It is difficult to appreciate that compliance of order passed by this Court way back on 15.07.2019, requiring the appellant-corporation to deposit 50% of the enhanced amount of compensation within a period of three months, is yet to be carried out.

This Court had, twice over, enlarged the time for compliance. Then, it was pointed out that the appellant-corporation chose to prepare a single Demand Draft, purportedly of the total of the amount payable in relation

to all the cases in this batch of appeals. Such a deposit was not accepted by the Registry of the High Court of Delhi while requiring the appellant-corporation to submit separate Demand Drafts pertaining to each individual case. Now, it is stated that such Demand Drafts have been prepared on 24.01.2022 and their validity would be expiring on 23.04.2022. In this regard too, the applications seeking further enlargement of time have been moved in this Court only on 01.04.2022.

The reasons and factors sought to be stated in the application could only be said to be of perfunctory and causal approach on the part of the appellant-corporation and sheer apathy of its officers, where enlargement of time for compliance is taken for granted.

Though we are providing for further enlargement of time but, would leave it open for the High Court to take note of unnecessary delay on the part of the appellant-corporation and to provide remedial measures, particularly to mitigate the hardship of the persons entitled to receive the amount of compensation. For that matter, awarding of penal interest could also be considered by the High Court while deciding the appeals pertaining to these applications.

Subject to the above, time for depositing the amount is enlarged while providing that the Demand Drafts said to have been prepared on 24.01.2022 may be accepted by the Registry of the High Court of Delhi and while immediately

putting the amount in interest bearing FDRs, the claimants may be notified to seek withdrawal.

It is informed that the Demand Drafts in relation to two such cases are yet to be prepared.

It shall be expected of the appellant-corporation to get prepared such Demand Drafts within a week from today and deposit the same with the Registry of the High Court of Delhi. If they fail to do so, the order of this Court dated 15.07.2019 in relation to those cases shall cease to operate and it shall be required of the appellant-corporation to deposit the entire amount, as if the said order dated 15.07.2019 had not been passed.

The miscellaneous applications stand disposed of, accordingly.

.....J
(DINESH MAHESHWARI)

.....J
(ANIRUDDHA BOSE)

NEW DELHI;
APRIL 18, 2022.

ITEM NO.9

COURT NO.14

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 666/2022 in C.A. No. 5535/2019

(Arising out of impugned final judgment and order dated 15-07-2019 in C.A. No. No. 5535/2019 passed by the Supreme Court Of India)

NORTH DELHI MUNICIPAL CORPORATION

Petitioner(s)

VERSUS

KISHORI MAL JOSHI (D) THR. LRS. & ORS.

Respondent(s)

(FOR ADMISSION and IA No.49635/2022-EXTENSION OF TIME)

WITH

MA 667/2022 in C.A. No. 5536/2019 (XIV-A)
(FOR ADMISSION and IA No.49643/2022-EXTENSION OF TIME)

MA 668/2022 in C.A. No. 5537/2019 (XIV-A)
(FOR ADMISSION and IA No.49650/2022-EXTENSION OF TIME)

MA 669/2022 in C.A. No. 5538/2019 (XIV-A)
(FOR ADMISSION and IA No.49679/2022-EXTENSION OF TIME)

MA 670/2022 in C.A. No. 5539/2019 (XIV-A)
(FOR ADMISSION and IA No.49951/2022-EXTENSION OF TIME)

MA 671/2022 in C.A. No. 5540/2019 (XIV-A)
(FOR ADMISSION and IA No.49700/2022-EXTENSION OF TIME)

MA 672/2022 in C.A. No. 5541/2019 (XIV-A)
(FOR ADMISSION and IA No.49709/2022-EXTENSION OF TIME)

MA 673/2022 in C.A. No. 5542/2019 (XIV-A)
(FOR ADMISSION and IA No.49705/2022-EXTENSION OF TIME)

Date : 18-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Praveen Swarup, AOR
Ms. Payal Swarup, Adv.
Ms. Pareena Swarup, Adv.
Mr. Lokendra Kumar, Adv.

For Respondent(s) Mr. Prithvi Pal, AOR
Mr. Rakesh Sharma, Adv.
Mr. Pankaj Bhardwaj, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Miscellaneous Applications stand disposed of in terms
of the Signed Order.

(SHRADDHA MISHRA)
SENIOR PERSONAL ASSISTANT

(Signed Order is placed on the file)

(RANJANA SHAILEY)
COURT MASTER (NSH)