
(2020) 07 DEL CK 0216

In the Delhi High Court

Case No : Letter Patent Appeal No. 189 Of 2020

Sahitya Akademi

APPELLANT

Vs

Sneha Choudhury & Ors

RESPONDENT

Date of Decision : 31-07-2020

Acts Referred:

Code Of Civil Procedure, 1908 — Section 151

Citation : (2020) 07 DEL CK 0216

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Rajshekhar Rao, Abhishek Aggarwal, Dhairya Gupta

Final Decision : Dismissed

Judgement

Siddharth Mridul, J

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

CM APPL.17328/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/appellant seeking exemption

from filing the original/hard copies of the documents, filing dim, illegible, marked annexures, filing the relevant documents/annexures, filing the duly

attested affidavits in support of the accompanying appeal, as well as, application and to pay the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/appellant is allowed to file

the duly signed and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court. Further, the

applicant/appellant is allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court.

The applicant/appellant is also granted exemption from filing the original/hard copies of the documents, filing dim, illegible, marked annexures and filing

the relevant documents/annexures, subject to all just exceptions.

With the above directions, the present application is disposed of.

LPA 189/2020 & CM APPL.17327/2020 (Stay)

The present Letters Patent Appeal under Clause 10 of the letters patent instituted on behalf of the appellant prays as follows:-

a) Set aside the orders dated 26.02.2020 and 16.03.2020 passed by the Learned Single Judge in WP (C) No. 1103/2020 and declare that the Appellant

is not liable to pay any amount on account of salary/ remuneration to the Respondent No.1, 15.02.2020 onwards;

b) Direct the Respondent No.1 to refund/ return the amount/ salary paid to her for the period of 16.03.2020 to 08.05.2020 or any amount credited to

her account after 16.03.2020;

c) award exemplary costs in favour of the petitioner and against the respondents.

d) pass such other and further orders as this Honâ??ble Court may deem to be fit and proper under the facts and circumstances of the present case.

The legal issue sought to be raised in the present appeal is at large before the learned Single Judge.

The instant appeal is directed against the ad-interim orders dated 26.02.2020 and 16.03.2020, passed by the learned Single Judge in W.P.(C)

No.1103/2020, tilted as â??Sneha Choudhury & Ors. vs. Sahitya Akademiâ??, which is now scheduled to come up for hearing before the learned

Single Judge on the 22.09.2020.

In view of the foregoing, whilst reserving liberty to the appellant to make all legal and factual submissions, that may be available to him, before the

learned Single Judge, in the said writ petition, in the first instance, we decline to interfere with the ad-interim orders dated 26.02.2020 and 16.03.2020,

that are impugned in the present appeal.

The appeal is accordingly dismissed and disposed of accordingly. The pending application also stands disposed of.