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

+ W.P.(C) 10369/2021

CJDARCL LOGISTICS LTD.

..... Petitioner

Through:

versus

RITES LTD AND OTHERS

..... Respondents

Through: Mr. Shrinkar Chaturvedi, Advocate for
respondent No.1.

Mr. Rajshekhar Rao, Senior Advocate
with Mr. Karan Luthra, Mr. Pranjit
Bhattacharya, and Ms. Shruti Arora,
Advocates for respondent No.3.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

03.06.2022

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C.M. No.27956/2022

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

C.M. No.27955/2022

3. This application has been moved by respondent No.3 under Section 152 read with Section 151 CPC to seek correction of the arithmetical error in our judgment dated 01.06.2022.

4. It is pointed out by Mr. Rajshekhar Rao, learned senior counsel for the respondent No.3/ applicant that the contract value of the contract awarded to respondent No.3 was Rs.12,14,98,210/-. In this regard, he has placed reliance on the Letter of Acceptance and Work Order issued to respondent No.3 by the respondent No.1/ RITES Limited.

5. Learned counsel for respondent No.1 – who is present, also states that the contract value was Rs.12,14,98,210/-. He submits that the reference/ mention of the figure of Rs.125 Crores in its counter-affidavit relates to the value of the consignment of railway coaches which had been lifted by the cranes to be made available under the contract in question with which we are concerned in the present matter.

6. Aforesaid being the position, we make the following correction in our judgement dated 01.06.2022:

(i) Wherever the figure of Rs.125 Crores is appearing, the same be read as Rs.12,14,98,210/-;

(ii) The amount that the respondent No.3 would plough back would be 10% of the aforesaid amount, i.e. Rs.1,21,49,821/-. Since the aforesaid amount would be highly inadequate to meet the purpose for which we directed the amount to be utilised, namely for setting up of a Smog Tower, we direct the respondent No.3 to deposit the said amount in this Court within six weeks. The disbursal of the said amount shall thereafter be made as follows:

(a) An amount of Rs. 25 lakhs to be deposited with the Delhi State Legal Services Authority.

- (b) An amount of Rs. 25 lakhs to be deposited with the Delhi High Court Legal Services Committee.
- (c) An amount of Rs. 25 lakhs to be deposited with the Prime Minister's National Relief Fund.
- (d) An amount of Rs. 25 lakhs to be deposited with the Armed Forces Battle Casualties Welfare Fund.
- (e) An amount of Rs. 21,49,821/- to be deposited with the Indigent & Disabled Lawyers Committee.

7. To the aforesaid extent, our judgment dated 01.06.2022 stands corrected.
8. The application stands disposed of.
9. List the matter for reporting compliance on 19.07.2022.
10. The original record has been returned to the learned counsel for the respondent No.1/ RITES Ltd.

VIPIN SANGHI, ACJ

JASMEET SINGH, J.

JUNE 03, 2022

B.S. Rohella