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

+ **LA.APP. 5/2023**

UNION OF INDIA

..... Appellant

Through: Mr. Sanjay Kumar Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar, Mr. Ravi Violet Tigga, Ms. Nidhi Thakur and Mr. Piyush Pathak, Advocates

versus

**SH. KHAZAN SINGH (DECEASED) THROUGH
LRS SH. DARYAV SINGH & ANR**

..... Respondent

Through: Ms. Sukhela Dhamija and Ms. Rehana, Advocate for respondents.
Mr. Tushar Sannu, Standing Counsel for MCD with Mr. Azad Bansal, Advocate and Mr. R.S. Meena, AE-MCD.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **16.03.2023**

[The proceeding has been conducted through Hybrid mode]

CM APPL. No. 794-795/2023 (Delay)

1. Issue notice. Notice accepted by learned counsel on behalf of respective respondents.
2. Reply may be filed within six weeks. Rejoinder thereto if any, may be filed within six weeks, thereafter.
3. List on 11.10.2023.

LA.APP. 5/2023 & CM APPL. No. 793/2023 (Stay)

4. The decretal amount, as directed, has yet not been deposited. As a



last and final opportunity, the appellant is permitted to deposit the entire decretal amount within four weeks from today, failing which the stay granted in previous orders shall be deemed to be vacated and the respondents shall be at liberty to pursue their respective execution petitions before the learned Executing Court.

5. In case of such default the learned Executing Court shall consider the execution petition and dispose of the same in accordance with law.

6. Court fee is stated to have been affixed in the appeal.

7. Mr. Tushar Sannu, learned Standing Counsel appears for MCD and seeks some time to respond to the appeal.

8. The MCD may file its response to the appeal within six weeks from today with advance copy to learned counsel for the appellant.

9. Ms. Sukhela Dhamija, learned counsel appears for all the respondents except MCD and submits that respondent no.1(d) has been wrongly indicated in the memo of parties as Mahender Singh whereas the original name is Mahabeer Singh as reflected in the impugned judgment and decree.

10. Learned counsel for the appellant undertakes to take appropriate steps in this regard and file the amended memo of parties. He may do so within two weeks from today.

11. List on 11.10.2023.

TUSHAR RAO GEDELA, J

MARCH 16, 2023

Aj