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

+ **LA.APP. 62/2019**

NORTH DELHI MUNICIPAL CORPORATIONAppellant

Through: Mr. Siddharth Goswami for Mr.
Sanjay Vashishtha, St. Counsel
(Through VC)

versus

DIVYA JAIN & ANR

.....Respondent

Through: Mr. S.K. Rout, Ms. Dimple Dhamija,
Mr. Aman Mehrotra, Mr. Rahul
Kumar, Ms. Alka Singh and Ms.
Parmita Nath, Advs. for R-1 alongwith
R-1 in person
Mr. M.S. Akhtar for Mr. Sanjay
Kumar Pathak, Adv. for R/UOI

CORAM:

REGISTRAR GENERAL SH. ARUN BHARDWAJ

ORDER

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09.05.2025

1. Vide order dated 05.05.2025, the Hon'ble Court has, *inter alia*, directed as under:-

“.....

5. In view of the above, the application is allowed. On the applicant/respondent No.1 furnishing an indemnity bond to the extent of 50% of the decretal amount to the satisfaction of the Registrar General, the decretal amount alongwith the interest accrued upon be released to the applicant/respondent No.1. Let an undertaking in the form an affidavit be filed by the applicant/respondent No.1 within one week from today, that in case the appellant succeeds in the appeal, the respondent No.1 shall

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return the compensation so released back to the appellant....”

2. In compliance of the aforesaid order of the Hon’ble Court Indemnity Bond alongwith undertaking by way of an affidavit have been filed by the respondent No.1/Divya Jain @ Divvyia Jain in original today in the court for the purposes of releasing of 50% of the decretal amount lying deposited in this case alongwith accrued interest.

3. Learned counsel for the respondent No.1 further submits that the appellant has compositely deposited the 50% of the decretal amount of ₹12,76,084/- in LA App. No.60/2019 and the said amount is bifurcated as under:-

- ₹2,39,914/- pertaining to LA. App. 60/2019,
- ₹1,64,106/- pertaining to LA. App. No.62/2019
- ₹8,72,064/- pertaining to LA. App. No.63/2019.

4. Learned counsel for the respondent No.1 further submits that now in the present case an amount of ₹1,64,106/- is required to be released to the respondent No.1 alongwith accrued interest in terms of the aforesaid order of the Hon’ble Court. Learned counsel for the respondent No.1 further submits that the respondent No.1 shall be bound by the orders of the Hon’ble Court and in the event the appellant succeeds in the present appeal, she shall refund/return the amount so released back to the appellant. It is further submitted by the learned counsel that the respondent No.1, who is present in the court today, is also ready to give her statement in this Court apart from filing his Indemnity Bond and undertaking by way of an affidavit. Statement of the respondent No.1 has been recorded separately to this effect and she has also been identified by her counsel.

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5. In view of the indemnity bond and the undertaking by way of an affidavit filed by the respondent No.1 in terms of the aforesaid order of the Hon'ble Court and also keeping in mind the statement given by her qua refund/ return the amount on any future directions of the Hon'ble Court or in the event of the appellant succeeding in the present appeal, I find no impediment in releasing the 50% of decretal amount to the respondent No.1 alongwith accrued interest against her aforesaid indemnity bond and undertaking by way of an affidavit filed on record.

6. Registrar (B&A) is directed to release the 50% of the decretal amount i.e. 1,64,106/- (compositely deposited by the appellant in LA. App. 60/2019) to respondent No.1 alongwith accrued interest in terms of the order dated 05.05.2025 passed by the Hon'ble Court after due verification and receipt.

ARUN BHARDWAJ
REGISTRAR GENERAL

MAY 9, 2025

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[Click here to check corrigendum, if any](#)