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

+ LA.APP. 107/2017

NORTH DELHI MUNICIPAL CORPORATION

..... Appellant

Through None

vs.

M/S ANANT RAJ PROJECTS LTD & ANR Respondent

Through Mr. Priyanshu Aggarwal, adv.
Enrolment No. D/2837/2017 for Mr.
Rajesh Gupta, Adv. for respondent
No.1

Shri Shri Niwas, Tehsildar from the
office SDM, Badli, Haryana

CORAM:

SH. MANOJ JAIN, REGISTRAR GENERAL

ORDER

% **08.04.2021**

1. Vide order dated 05.10.2018, the Hon'ble Court, *inter alia*,
directed as under:-

.....

6. *Subject to the respondent no.1/applicant
furnishing security to the satisfaction of the worthy
Registrar General of this Court for refund of the
monies with interest at such rate as may be ultimately
ordered, the amounts deposited together with interest
accrued thereon be released in favour of respondent
No.1/applicant."*

2. Subsequent thereafter vide order dated 12.12.2018, the
Hon'ble Court directed to list the matter before the undersigned for
compliance of said directions.



3. As per office report, an amount of Rs. 96,49,113/- has been deposited by the appellant in this case and the same has been invested in FDR.

4. In compliance of the abovesaid direction, as security, Mr. Ajay Pathania, Director, Oriental Meadows Ltd. has furnished agricultural land measuring 18 Kanal 15 Marla having 2/3rd share out of total land measuring 28 Kanal 2 Marla in Khewat No. 635 min, Khatauni No. 677, Kita No. 204/14/2 (7-2), 17 (8-0), 18/1 (2-4), 24 (8-0) and 207/4 situated in village Bupania, Tehsil Bahadurgarh, District Jhajjar, Haryana. Same is reported to be registered in favour of M/s Oriental Meadows Ltd. vide registration No.9830 in Book No.1, Vol. No.78 on page No.150 and pasted in Book No.1, Vol. No.744 on pages No.49 to 50 on 25.02.2008 with Sub-Registrar, Bahadurgarh, Haryana. Based on the above, the release of the amount deposited by the appellant has been sought.

5. Shri Shri Niwas, Tehsildar from the office SDM, Badli, Haryana is present alongwith report dated 07.04.2021 issued by him and submits that M/s Oriental Medows Ltd is the owner of abovesaid agricultural land and the value of the abovesaid land is Rs. 46,87,500/-. He further submits that the abovesaid agricultural land is self-cultivated and that the same is in the possession of M/s Oriental Meadows Ltd. and there is no encumbrance on the abovesaid agricultural land. He further submits that the old Khewat and Kahtauni number of abovesaid agricultural land is 635 and 677 and the new Khewat and Khatauni number of the abovesaid agricultural land are 890 and 925.



6. On 22.03.2021, the statement of Mr. Ajay Pathania, Director of M/s Oriental Meadows Ltd. had been recorded separately with respect to the abovesaid agricultural land sought to be furnished as security on behalf of the respondent.

7. Learned counsel for the respondent has also shown original affidavits dated 19.02.2021 and 27.02.2021. The same are directed to be placed on record.

8. Learned counsel for the respondent has also shown original sale deed of the land in question. Same has been seen and returned to him after making necessary endorsement. Statement of learned counsel for the respondent has also been recorded separately today.

9. The value of the security furnished by M/s Oriental Meadows Ltd. is Rs. 46,87,500/-, therefore, decretal amount to the tune of Rs. 46,87,500/- can be released against said security. In this regard, reference be also made to the order dated 10.03.2021, whereby counsel for the respondent had stated at bar that the proportionate amount may be released.

10. Having regard to the above and the statements made by all concerned, the security furnished by M/s Oriental Meadows Ltd. on behalf of respondent No. 1 is hereby accepted subject to the condition that respondent shall refund the amount alongwith interest at such rate as may be ultimately ordered.



11. Registrar (B&A) is directed to release the amount of Rs. 46,87,500/- to the respondent No.1 in terms of order dated 05.10.2018 and 12.12.2018 passed by the Hon'ble Court after due verification and receipt.

12. The Deputy Registrar concerned is directed to send a communication to the concerned Sub-Registrar and SDM to the effect that the aforesaid agricultural land has been furnished as security in this case and necessary entry be made in their records and to accordingly obtain compliance report to said effect forthwith.

MANOJ JAIN
REGISTRAR GENERAL

APRIL 08, 2021

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