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

+ LA.APP. 107/2017

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Ms. Mini Pushkarna, Standing
Counsel with Ms. Swagata Bhuyan,
Ms. Shiva Pandey and Ms. Neha
Goel, Advs.

versus

ANANT RAJ PROJECTS LTD & ANR Respondents

Through: Mr. Bhagwat Prasad Gupta, Adv. for
R-1.
Ms. Jyoti Tyagi for Mr. Yeeshu Jain,
Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **05.10.2018**

CM No.41248/2018 (of the respondent no.1 under Section 151 CPC).

1. The respondent no.1/applicant seeks withdrawal of the deposited amount and subject to which deposit execution has been stayed.
2. The counsel for the appellant appears on advance notice and states that the respondent no.1/applicant has already filed cross-objections in this appeal. The second contention raised is that there are 13 other connected appeals.
3. Neither of the aforesaid factors is relevant to the application of the respondent no.1/applicant.
4. The respondent no.1/applicant cannot be deprived of the benefit of the decree in its favour.
5. The application is allowed.

LA.APP. 107/2017

page 1 of 2



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 the respondent no.1/applicant.

7. The application is disposed of.

RAJIV SAHAI ENDLAW, J

OCTOBER 05, 2018

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LA.APP. 107/2017

page 2 of 2