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

\+ LA.APP. 38/2021

UNION OF INDIA .....Appellant

Through: Ms. Joohu Kumari alongwith Mr. Sanjay Kumar Pathak, St. Counsel

versus

SUNIL MATHUR & ORS. .....Respondent

Through: Mr. Dhruv Kumar Verma, Adv. for R-1to 3 alongwith R- 1 to 3 in person Mr. Roshal Lal Goel and Mr. Bhuwan Goel, Advs. for R-4/DDA

CORAM:
REGISTRAR GENERAL SH. ARUN BHARDWAJ

<u>O R D E R</u>

% 27.03.2026

1. Vide order dated 04.07.2025, the Hon'ble Court has, *inter alia*, directed as under:-

> "…..
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> *5. In view of the above, the application is allowed. On the applicant/respondent Nos.1 to 3 furnishing an indemnity bond to the extent of 50% of the decretal amount to the satisfaction of the Registrar General, the decretal amount alongwith interest accrued upon be released to the applicants/respondent Nos.1 to 3. Let an undertaking in the form an affidavit be filed by the applicants/respondent Nos.1 to 3 within one week from today, that in case the appellant succeeds in the appeal, the respondent Nos.1 to 3 shall return the compensation so released back to the appellant…..*"

2. As per office report an amount of Rs.11,92,397/- is lying deposited in this case in the form of FDR.

3. In compliance of the aforesaid order passed by the Hon'ble Court, respondent Nos.1 to 3 have filed fresh Indemnity Bonds and undertaking by way of the affidavits in original today in the court for the release of the amount lying deposited in this case alongwith proportionate accrued interest thereon.

4. Learned counsel for respondent Nos.1 to 3 submitted that the appellant has deposited 50% of the decretal amount i.e. Rs.11,92,397/- and the said amount is to be released against Indemnity Bond and undertaking by way of an affidavit in terms of the aforesaid order passed by the Hon'ble Court. He further submitted that respondent Nos.1 to 3 are having 1/3rd share each in the deposited amount and requested that the amount may be released to them according to their aforesaid respective shares. It is further stated that respondent Nos.1 to 3 shall be bound by the orders of the Hon'ble Court and in the event the appellant succeeds in the present appeal, the respondent Nos.1 to 3 shall refund the amount so released to them back to the appellant or in terms of the order which the Hon'ble Court may pass. It is further submitted by learned counsel that respondent Nos.1 and 3 are also ready to give their respective statements before this Court to this effect.

5. Statements of the respondent Nos.1 to 3 qua furnishing their respective indemnity bonds and undertaking by way of affidavits regarding refund of the released amount back to the appellant in case the appellant succeeds in the present appeal or in terms of the order which the Hon'ble Court may pass have been recorded separately and they have also been identified by their counsel.

6. It is pertinent to mention here that no objection has been raised by the opposite party for the release of the aforesaid amounts against Indemnity

Bonds and undertaking by way of affidavits.

7. In view of the indemnity bonds and undertaking by way of affidavits filed by the respondent Nos.1 to 3 in terms of the aforesaid order of the Hon'ble Court and also keeping in mind the statements given by respondent Nos.1 to 3 qua refund of the amount in the event of the appellant succeeding in the present appeal, there is no impediment in releasing the aforesaid deposited amount lying deposited in this court to respondent No.1 to 3 alongwith the proportionate interest.

8. Registrar (B&A) is directed to release the amount of Rs.11,92,397/- lying deposited in this court alongwith proportionate accrued interest to respondent Nos.1 to 3 in equal share i.e. 1/3rd share each in their respective bank accounts, the details of which have been provided in the form of copy of the pass books placed on record by the respondent Nos.1 to 3, in terms of the aforesaid order passed by the Hon'ble Court after due verification.

ARUN BHARDWAJ
REGISTRAR GENERAL

MARCH 27, 2026
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