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

+ **LA.APP. 38/2021**

UNION OF INDIA

.....Appellant

Through: Mr. Sanjay Kumar Pathak, SC for
UOI with Mr. Sunil Kumar Jha and
Mr. M.S. Akhtar, Advocates.

versus

SUNIL MATHUR & ORS.

.....Respondents

Through: Mr. Roshan Lal Goel and Ms. Anju
Gupta, Advocates for DDA.
Mr. M.C. Verma, Advocate for
respondent nos.1 to 3.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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04.07.2025

**CM APPL. 38664/2025 (seeking release of decretal amount & direction
by respondent Nos.1 to 3)**

1. By way of present application, the applicants/respondent Nos.1 to 3 seek release of 50% of the decretal amount alongwith the interest accrued upon it that was deposited by the petitioner in pursuance of the order dated 09.08.2021.

2. In support of his submissions, learned counsel for the applicants/respondent Nos.1 to 3 has referred to the decision of the Supreme Court in Kazi Moinuddin Kazi Bashiroddin and Ors. v. Maharashtra Tourism Development Corporation & Anr. reported as **2022 SCC OnLine SC 1325** which was subsequently followed by this Court vide order dated 21.05.2024 passed in **L.A. APP. 64/2023** titled Delhi Metro Rail Corporation v. Smt. Babita Aggarwal & Ors. Learned counsel for the applicants/respondent Nos. 1 to 3 submits that in terms of the aforesaid



decisions, at this stage, the applicants seeks release of 50% of the decretal amount.

3. Issue notice.

4. Learned counsel for the non-applicant/appellant accepts notice. He submits that subject to the applicants/respondent No.1 to 3 furnishing indemnity bond/adequate security, he has no objection to the aforesaid prayer.

5. In view of the above, the application is allowed. On the applicants/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 the 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.

6. List before the Registrar General on 05.08.2025 for the aforesaid purpose.

7. In view of the above, the present application is disposed of.

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1. Learned counsel for the appellant states that the present appeal arises with respect to the acquisition proceedings with respect to the land situated in Village *Karala*, Delhi vide Award No.22/DC(NW)/2005-06. He further states that the connected appeal being LA. APP. No. 37/2020 titled 'Union of India v. Pradeep Mathur & Anr.' is listed in the category of 'regular matters'.

2. In view of the above, list this matter in the category of 'regular



matters' along with LA. APP. No. 37/2020.

JULY 4, 2025/rd

MANOJ KUMAR OHRI, J