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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 59/2021**
NORTH DELHI MUNICIPAL CORPORATIONAppellant
Through: Mr. Sanjay Vashishtha, St. Counsel
with Mr. Siddhartha Goswami and
Ms. Gunjan Rathore, Advs.

versus

M/S DIVYA AUTOMATES & ANR.Respondent
Through: Mr. S.K. Rout, Ms. Dimple Dhamija,
Mr. Aman Mehrotra and Mr. Rahul
Kumar, Advs. for R-1
Mr. M.S. Akhtar for Mr. Sanjay
Kumar Pathak, Adv. for R/UOI

CORAM:

REGISTRAR GENERAL KANWAL JEET ARORA

ORDER

% **26.03.2025**

1. Vide order dated 17.02.2025 the Hon'ble Court has, *inter alia*, passed the following order:-

"(i) 50% of the amount deposited by the Appellant, along with interest accrued thereupon, shall be released to respondent No.1 on furnishing an indemnity bond with an undertaking by way of an affidavit to the satisfaction of the worthy Registrar General of this Court.

(ii) The affidavit shall set out that in the event the Appellant succeeds in the present Appeal, Respondent No.1 shall repatriate 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 Ms. Usha Mehta, proprietor of respondent No.1 in original today in the court for the purposes of releasing of 50% of the deposited amount lying deposited in this case alongwith proportionate accrued interest.

3. Learned counsel for the respondent No.1 submits that the respondent No.1 shall be bound by the orders of the Hon'ble Court and in the event the appellant succeeding in the present appeal, she shall re-deposit the amount so



released to respondent No.1. It is further submitted by the learned counsel that the proprietor of respondent No.1, who is present in the court today is also ready to give her statement for and on behalf of respondent No.1 in this Court apart from filing her Indemnity Bond and undertaking by way of an affidavit.

4. Statement of the proprietor of respondent No.1 qua furnishing her indemnity bond and undertaking by way of an affidavit regarding re-deposition of the released amount in terms of any future directions of the Hon'ble Court has been recorded separately and he has also been identified by her counsel.

5. In view of the indemnity bond and the undertaking by way of an affidavit filed by proprietor of 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 re-depositing 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 the deposited amount to the respondent No.1 alongwith the proportionate interest against the aforesaid indemnity bond and undertaking by way of an affidavit filed on record by the proprietor of the respondent No.1.

6. Registrar (B&A) is directed to release the 50% of the deposited amount alongwith proportionate accrued interest on the same to respondent No.1 in terms of the order dated 17.02.2025 passed by the Hon'ble Court after due verification and receipt.

KANWAL JEET ARORA
REGISTRAR GENERAL

MARCH 26, 2025

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