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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 399/2023**
DELHI METRO RAIL CORPORATION LTD.Appellant

Through: Mr. Arjun Natarajan, Adv.

versus

SHRI CHANDER PRATAP SINGH & ANR.Respondents

Through: Mr. N.S. Vasisht, Ms. Jyoti Kataria,
Mr. M.P. Bhargava and Mr. Aashu
Tyagi, Advs. for R-1.
Mr. Sanjay Kumar Jha, SC with Mr.
Sunil Kumar Jha and Mr. Mayank
Madhu, Advs. for R-2.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **10.03.2025**

CM Appl. 14234/2025[Seeking release of the decretal amount]

1. This is an Application filed on behalf of Respondent No.1 seeking release of enhanced compensation/decretal amount, along with interest accrued thereupon, lying before this Court.

2. Issue Notice.

2.1 Learned Counsel for the Appellant and Respondent No.2 accept Notice. Learned Counsel for Respondent No. 2 submits that he has no objection if the prayers in the present Application are allowed and the amounts may be released in favour of the Respondent No.1 subject to furnishing of adequate security.

2.2 Learned Counsel for the Appellant submits that the amounts may be released in favour of the Respondent No.1 subject to the mandate of the judgment of the Supreme Court in ***Kazi Moinuddin Kazi Bashiroddin & Ors. V Maharashtra Tourism Development Corporation & Anr.***; 2022



SCC OnLine SC 1325.

3. Accordingly, as per the mandate of the judgment of the Supreme Court in **Kazi Moinuddin Kazi Bashiroddin** case, the following directions are passed:

- (i) 50% of the enhanced compensation shall be released to Respondent No.1 on furnishing an indemnity bond with an undertaking by way of an affidavit. 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;
- (ii) The remaining 50% of the compensation shall be released to Respondent No.1 on furnishing of adequate security to the satisfaction of the worthy Registrar General of this Court.
- (iii) The interest, which is accrued on the amounts deposited, shall also be released in the same proportion.

4. For this purpose, list before the worthy Registrar General on 28.03.2025. The Application is accordingly disposed of.

LA.APP. 399/2023 & CM APPL. 40420/2023 [for stay]

5. Learned Counsel for the parties submit that the issue as is obtaining in the present Appeal, also obtains in LA. APP. 197/2022 captioned **Union of India v. Ashwani Arora & Anr.** which stands admitted before the Court.

6. The parties seek and are granted time to file their respective written synopsis, not exceeding three pages each, at least one week before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon.

6.1 All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of



law that it sets forth.

7. The Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and bookmarked in accordance with the rules of the High Court.

8. List along with LA. APP. 197/2022 captioned ***Union of India v. Ashwani Arora & Anr.*** in the category of Regular matters.

9. Parties to act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MARCH 10, 2025/r

Click here to check corrigendum, if any