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

+ **LA.APP. 142/2025**

UNION OF INDIA

.....Appellant

Through: Mr. Rajneesh Sharma, Mr. Ritank
Kumar & Mr. Anil Pandey, Advs.

versus

SMT. SAROJ DEVI & ANR.

.....Respondents

Through: Ms. Latika Malhotra, Adv. for DDA

CORAM:

HON'BLE MS. JUSTICE SHAIL JAIN

ORDER

19.01.2026

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CM APPL. 75501/2025

1. The present Application has been filed on behalf of the Respondent No. 1 under Section 151 C.P.C., 1908 for the release of the decretal amount i.e. enhanced compensation in favour of Respondent no. 1, which has been deposited by the Respondent No. 2 before Id. District Judge, (North) Rohini, Delhi, in execution number 42/2025, in terms of the Order passed by Hon'ble the Supreme Court in the case of ***“Kazi Moinuddin Kazi Bashiruddin & Ors. Vis Maharashtra Tourism Development Corporation & Ors.”*** reported as **2022 SCC Online 1325**. The prayer is for release of the entire decretal amount lying before the Executing Court after furnishing adequate surety to the satisfaction of the executing Court.

2. It is submitted by the Id. counsel for Respondent No. 1 that he has no



objection, if the amount is released subject to the furnishing of an Indemnity Bond and Security Bond.

3. It is also stated that the amount is deposited with the Executing Court.

4. Further, it is submitted that in similar matters, this Hon'ble Court has been consistently permitting release of compensation amounts. Reliance is placed on **LA.APP. 21/2019** titled "**Union of India vs. Raj Pal Singh & Ors.**", wherein *vide* Order dated 01.08.2025, this Court was pleased to allow release of 100% of the decretal amount subject to indemnity bond/security, following the law laid down by the Hon'ble Supreme Court in **Kazi Moinuddin Kazi Bashiniddin & Ors. v. Maharashtra Tourism Development Corporation & Anr.**, 2022 SCC OnLine SC 1325, and subsequent Coordinate Bench Orders in *Babita Aggarwal* (21.05.2024), *Ashok Kumar* (28.05.2025), *Santosh* (09.12.2024), and *Savitri Devi* (23.04.2025).

5. It is also submitted by the learned Counsel for the Respondent No. 1 that no prejudice would be caused to the Appellant if the decretal amount is released subject to deposition of the Indemnity Bond, Security Bond and an Undertaking.

6. Learned Counsel for the Appellant has no objection if the amount is released to Respondent No. 1, subject to furnishing of Indemnity Bond and Security Bond for securing the decretal amount, in case the present Appeal is decided in favour of the Appellant.

7. In view of the above, the following directions are passed :

- (i) The 50% of the decretal amount 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 amount shall be released to Respondent No. 1, on furnishing an adequate Security to the satisfaction of the Executing Court.

8. The Application is accordingly disposed of in the aforesaid terms.

SHAIL JAIN, J

JANUARY 19, 2026/pd/hp