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

+ **CS(OS) 631/2014**

SANDIP SOMANY & ANR

..... Plaintiffs

Through: Mr. Manav Gupta, Ms. Esha Dutta,
Mr. Sahil Garg & Mr. Ridhi Munjal,
Advocates.

versus

RAM NIWAS JINDAL & ORS

..... Defendants

Through: Mr. Avinash Trivedi, Advocate for D-
1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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23.03.2017

IA No. 1100/2017 (under Section 151 CPC) moved by the plaintiff

While hearing the arguments on the application (IA No. 15230/2015 under Order XII Rule 6 CPC), the Court noted the admission of the first defendant in his written statement to the effect that he had received an amount of Rs. 50 lakhs from M/s UFIPL in his capacity as General Attorney of the plaintiffs with a clear assertion (in para 6 of the pleadings) that he was ready and willing to pay the said amount.

It is against this backdrop that direction was given by the order passed on 06.09.2016 for the said amount of Rs. 50 lakhs to be deposited in the Court. The amount was deposited in compliance with the said direction and by virtue of order dated 26.10.2016 it has been kept in interest bearing fixed deposit account in a nationalised bank. By the application at hand, the plaintiff presses for release of the said amount. The learned counsel for defendant No.1 fairly concedes that in the face of admissions in the pleadings the said amount of Rs. 50 lakhs which has been deposited is liable

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to be released to the plaintiff. The amount shall be accordingly released to the plaintiffs forthwith.

The application stands disposed of with these directions.

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After some hearing, the counsel for the plaintiffs seeks adjournment as he proposes to bring in some amendment in the pleadings.

Be notified on 4th August, 2017.

R.K.GAUBA, J.

MARCH 23, 2017

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