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

+ **LA.APP. 65/2019**

UNION OF INDIA

..... Appellant

Through: **None**

versus

RAM ASHRE (DECEASED) THR LRS & ORS Respondent

Through: **Mr. Prashant Singh, Advocate**

**Ms. Meghna Mittal Sankhla,
Advocate for R-6/DDA.**

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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11.05.2023

[The proceeding has been conducted through Hybrid mode]

CM APP No. 24368/2023

1. This is an application filed on behalf of respondent nos. 2(D) and 4(A) under Section 151 of CPC, 1908, seeking direction for release of the decretal amount to the extent of security which has been furnished by the applicants/respondents.
2. Learned counsel appearing for the applicants submits that, according to the assessment carried out by the Registrar General of this Court, the security, which had been furnished by the applicants is to the extent of Rs.13,19,360/- whereas the assessment of the total share of the applicants in decretal amount has been ascertained as Rs.17,94,842.59.
3. Learned counsel submits that since the applicants have been, for the time being, unable to furnish the security to the extent of the share which has been ascertained by the learned Registrar, the decretal amount to the extent



of security as furnished amounting to Rs.13,19,360/- or any other amount, which this Court may deem fit, be released to the applicants.

4. Learned counsel submits that though advance notice of the application was served upon Mr. Sanjay Pathak, learned counsel for the appellant/non-applicant, however, there is no appearance today.

5. Be that as it may.

6. Upon applicants/ of respondent nos. 2(D) and 4(A) taking steps within a week, notice be issued to the appellant/non-applicant through all permissible modes. Additionally through Mr. Sanjay Kr Pathak, learned counsel for the appellant.

7. Reply, if any, be filed within four weeks.

8. It is also brought into notice of this Court that in the earlier order dated 26.04.2023, already a CM APPL.20878/2023 was filed, in which the notice was duly issued by this Court and the same was listed before the Joint Registrar on 10.07.2023, however, instead of JR, the Registrar General was wrongly mentioned.

9. In view of the aforesaid, the matter is now listed before JR along with CM APPL.20878/2023 on 10.07.2023 for completion of service and pleadings if any.

10. The necessary correction be made by the listing Branch in that regard.

11. After completion of service, the matter be listed before this Court on 28.07.2023, the date already fixed.

12. The date before Registrar General stands cancelled.

TUSHAR RAO GEDELA, J

MAY 11, 2023/aj