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

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

UNION OF INDIA

.....Appellant

Through: Mohd. Sueb Akhtar, Adv. for Mr.
Sanjay Kumar Pathak, St. Counsel

versus

RAM ASHRE (DECEASED) THR LRS & ORSRespondent

Through: Mr. Ashwani Kumar and Mr. Sushil
Kumar, Advs. for R-2(b) and
3(b)/Nisha alongwith R-2(b) and 3(b)
and surety/Parminder in person
Mr. Pranav Gupta, Adv. for R-5/Ram
Mehtar

Ms. Vanita and Ms. Meghna Mittal,
Adv. for R-6/DDA.
(Through VC)

CORAM:

REGISTRAR GENERAL SH. ARUN BHARDWAJ

ORDER

% **25.08.2025**

**CM No.72119/2024 (filed under Section 151 CPC for release of the share
of respondent No.2(b) and 3(b)/Nisha in the deposited amount**

1. The Hon'ble Court vide order dated 22.10.2021 has, *inter alia*, directed
as under:-

*“4. Accordingly, it is directed that the amount deposited by
the respondent no.6/DDA before this Court be released to the
applicants/respondents, subject to the applicants/respondents
furnishing adequate security to the satisfaction of the Registrar
General of this Court. The applicants/respondents to also
furnish an undertaking that they shall restore the amount with*



interest (to be determined at the final hearing of the appeal) in case the appellant succeeds in the appeal.”

2. As per office report, an amount of ₹8,44,072.89 being the share of respondent Nos.2(b) and 3(b)/Nisha and the amount of ₹47,74.855.95 being the share of respondent No.5/Ram Mehar are lying deposited in this case in the shape of an FDR.

3. In compliance of the aforesaid order passed by the Hon'ble Court, learned counsel for the respondent Nos.2(b) and 3(b)/Nisha submitted that Parminder/surety has filed his original security bond and undertaking dated 15.04.2025 furnished for and on behalf of respondent Nos.2(b) and 3(b)/Nisha in court today for the release of the aforesaid deposited amount to respondent Nos.2(b) and 3(b)/Nisha. Learned counsel for the respondent Nos.2(b) and 3(b)/Nisha further submitted that the undertaking of respondent Nos.2(b) and 3(b)/Nisha in compliance of the aforesaid order passed by the Hon'ble Court has already been e-filed alongwith application bearing CM No.72119/2024 and undertakes to file the original of the same in the registry within one week. Let the same be filed within one week.

4. As security, the surety/Parminder has furnished his land/plot comprising in Khewat No.215, Khatoni No.228, Khasra No.631 (14-12) situated in Village Pillukhera, District Jind, Haryana in which he is having 100 sq. yds. share (3 Marla 3 Sarsai) for and on behalf of the respondent No.2(b) and 3(b), namely, Nisha for the release of her share of amount of ₹8,44,072.89 in the total deposited amount in terms of the aforesaid order passed by the Hon'ble Court. To show his ownership right on the aforesaid land/plot/property, he has filed copy of the revenue record of the aforesaid land/plot/property as well as copy of the Transfer Deed dated 13.02.2024



executed by his mother in favour of surety/Parminder duly registered vide registration No.2151 Book No.1, Vol. No.1175 page 94.5 with Sub-Registrar, Pillukhera, Haryana. He further undertakes to file the aforesaid original transfer deed in the registry within one week. Let the same be filed within one week.

5. The ownership, valuation, encumbrance and physical possession report was called from the revenue authority. Mr. Surender Hooda, Patwari from the office of SDM, District Jind, Haryana had appeared on 15.05.2025 and placed on record report dated 13.05.2025 of Mr. Ranbir, Naib Tehsildar, Pillukhera, Jind, Haryana in respect of the ownership, valuation, encumbrance and physical possession of the aforesaid land/plot/property. He further stated that the value of the aforesaid property is ₹8,30,000/-; Mr. Parminder is the owner of the aforesaid land/plot/property; the same is in the physical possession of Mr. Parminder and there is no encumbrance on the aforesaid land/plot/property. His statement to this effect had been recorded on 15.05.2025.

6. Statement of surety/Parminder and respondent Nos.2(b) and 3(b), namely, Nisha have been recorded separately qua releasing the deposited amount to the respondent No.2(b) and 3(b), namely, Nisha in terms of the aforesaid order of the Hon'ble Court against the aforesaid security/land/plot/property furnished by surety/Parminder for and on behalf of the respondent No.2(b) and 3(b). They have been identified by their counsel.

7. The Report of the revenue authority qua the aforesaid land/plot/property of the surety/Parminder; statement of Mr. Surender Hooda, Patwari from the office of SDM, District Jind, Haryana as well as the statements of surety/Parminder and respondent Nos.2(b) and 3(b), namely,



Nisha qua furnishing the aforesaid land/plot/property as security in the present case have been perused.

8. *Apparently*, the aforesaid land/plot/property furnished as security by the surety/Parminder for and on behalf of the respondent Nos.2(b) and 3(b), namely, Nisha has been valued by the revenue authorities to be ₹8,30,000/-; surety is the owner and physical possession and there is no encumbrance on the aforesaid land/plot/property, therefore, the aforesaid land/plot/property of the surety is hereby accepted to the extent of its value and subject to the condition that in the event appellant succeeds in the appeal, respondent shall refund the released amount to this court alongwith interest at such rate as may be ordered by the Hon'ble Court, failing which such amount shall be liable to be recovered by the Court by putting the aforesaid land/plot/property furnished as security by the surety on sale and the respondent No.2(b) and 3(b), namely, Nisha and surety or any of their successor will not be permitted to protest the same on any ground whatsoever.

9. On filing the original Transfer Deed dated 13.02.2024 executed in favour of Mr. Parminder duly registered vide registration No.2151 Book No.1, Vol. No.1175 page 94.5 with Sub-Registrar, Pillukhera, Haryana by the learned counsel for the respondent No.2(b) and 3(b), the Deputy Registrar concerned is directed to keep the said original Transfer Deed in his safe custody.

10. The concerned Deputy Registrar is directed to send a communication to the concerned SDM and Sub-Registrar to file a report that the aforesaid land/plot/property has been given as security in this case by the surety/Parminder and necessary entries have been made in the respective records that no sale deed/mortgage/gift deed or encumbrance of any other



nature will be permitted without leave of this court and obtain report forthwith.

11. On filing the aforesaid original transfer deed, original undertaking of respondent No.2(b) and 3(b), namely, Nisha and after receiving the aforesaid reports from the concerned SDM and Sub-Registrar, Registrar (B&A) shall release the amount of ₹8,30,000/- to the respondent No.2(b) and 3(b), namely, Nisha in terms of order dated 22.10.2021 passed by the Hon'ble Court after due verification and receipt.

12. The application stands disposed of.

Release of the 50% of the share of respondent No.5/Ram Mehar in the deposited amount against security

13. Vide order dated 14.08.2025, the Hon'ble Court has, *inter alia*, directed as under:-

“.....

4. On Respondent No.5 furnishing an indemnity bond to the extent of 50% of the decretal amount, providing adequate security of the remaining 50% balance amount to the satisfaction of the Registrar General of this Court and upon due verification of the Respondent No.5/applicant's name and identity, the decretal amount of Rs.47,74,855.95 along with interest accrued thereupon, if any, be released to the applicant/Respondent No.5.

5. Let an undertaking in the form of an affidavit be filed by Respondent No.5 setting out that in the event the appellant succeeds in the present appeal, Respondent No.5 shall refund the compensation so released to the Appellant.”

14. In compliance of the aforesaid order learned counsel for the respondent No.5 has filed Security Bond of Mr. Neeraj Dagar/surety furnished for and on behalf of respondent No.5/Ram Mehar for the release of the 50% of the share of respondent No.5 alongwith revenue record of land comprising in Khewat



Nos.332, 335, 79, 334, 88, 89, 90, 80, 175, Khatoni No.6547, Khasra No.-22//28, 21//26 situated in Village Rangala, Tehsil Tauru, District Nuh, Haryana total admeasuring 17 Kanal 7 Marle (10500 sq. yds) approx) in which the surety is stated to be having 1/5th share i.e.3.4 kanal 1.4 marle (2100 sq. yds. Approx.). Learned counsel for the respondent No.5 further requested for time to file undertaking in the form of an affidavit of respondent No.5 in compliance of the aforesaid order passed by the Hon'ble Court. Let the same be filed before the next date of hearing.

15. Let court notice be issued to the concerned SDM, by all modes including electronic mode with the direction to appear or depute some responsible officer alongwith consolidated comprehensive report, prepared in coordination with the concerned Sub-Registrar, in the following format in respect of the aforesaid properties/lands furnished as security by Mr. Anil Kumar Arora/surety for and on behalf of respondent for the release of the deposited amount in terms of the aforesaid order passed by the Hon'ble Court:

Description of the property/land with area	Present ownership status of the property/land as per SDM and Sub-Registrar	Present status as to the physical possession of the property/land	Valuation of the property/land	Present status as to the encumbrances, lien/mortgage on the property/land, if any.

16 Registry is directed to annex the copies of the security bonds and revenue records of the aforesaid properties/land furnished as security



alongwith the court notice. Dasti as well.

17. Renotify on 31.10.2025.

ARUN BHARDWAJ
REGISTRAR GENERAL

AUGUST 25, 2025

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