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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 41/2024**

GAGANDEEP SINGH Appellant
Through: Mr.Pritish Sabharwal, Advocate

versus

S. SANDEEP SINGH SEHGAL Respondent
Through: Mr.Anil Sharma, Advocate

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
% **09.05.2024**

CM APPL. No.27819/2024

1. The present application under Section 151 of the Code of Civil Procedure, 1908, has been filed on behalf of the appellant seeking cancellation of the Fixed Deposit Receipt bearing No. 5030096513634 for an amount of Rs.6,69,000/- drawn on HDFC Bank dated 1st May, 2024 as well as seeking permission to deposit a demand draft in favour of the Registrar General of this Court. in terms of the order dated 22nd April, 2024.

2. Learned counsel appearing on behalf of the appellant submitted that vide order dated 22nd April, 2024 operation of the impugned order has been kept in abeyance till the next date of hearing, i.e., 4th October, 2024 and the same was subject to deposit of 75% of the decretal amount with the Registrar General.

3. It is further submitted that the said order was complied with by the appellant within the stipulated time, however, due to miscommunication or confusion, the deposition of decretal amount was made directly in an FDR



by the appellant instead of issuing a Demand Draft in favour of the Registrar General of this Court. Thus, the learned counsel appearing for the appellant seeks the cancellation of the FDR made in the name of the Registrar General of this Court and thereafter seeks permission to deposit the 75% of the decretal amount through a demand draft in terms of order dated 22nd April, 2024.

4. Learned counsel appearing for the respondent does not oppose the prayer made on behalf of the appellant.

5. Heard the learned counsel appearing for the appellant and perused the averments made in the application.

6. In view of the submissions made on behalf of the appellant, the application is allowed and the Registry is directed to issue a “*No Objection Certificate*” to the bank for the purpose of cancellation of the FDR dated 1st May, 2024 bearing No. 5030096513634 for an amount of Rs.6,69,000/- drawn on HDFC Bank to enable the appellant to comply with the order dated 22nd April, 2024.

7. On issuance of a “*No Objection Certificate*” from the Registry, the appellant is directed to deposit the 75% of the decretal amount within two weeks in terms of order dated 22nd April, 2024, i.e, on or before 24th May, 2024.

8. The application is disposed of.

CHANDRA DHARI SINGH, J

MAY 9, 2024

rk/sv/av

[Click here to check corrigendum, if any](#)