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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 634/2010**

MUNICIPAL CORPORATION OF DELHIAppellant
Through: None

versus

EM PEE METALS & ANRRespondent
Through: Mr. S.K. Rout, Ms. Dimple Dhamija,
Mr. Achin Saxena, Mr. Aman
Mehrotra, Mr. Rahul Kumar, Ms.
Parmita and Ms. Prabasini Pradhan,
Advs. for R-1 alongwith Mr. Raaj
Kumar Pasricha, partner of R-1 in
person
Mr. Divakar Kapil for Mr. Sanjay
Kumar Pathak, St. Counsel for
R-2/UOI

CORAM:
REGISTRAR GENERAL SH. ARUN BHARDWAJ

% **ORDER**
09.12.2025

1. Vide order dated 28.11.2025, the Hon'ble Court has, *inter alia*, directed as under:-

“.....

9. Accordingly, in view of the Judgement of the Hon'ble Supreme Court in *Kazi Moinuddin Kazi Bashiroddin & Ors. (Supra)*, the application is allowed and 50% of the enhanced decretal amount as deposited in terms of the Order dated 01.06.2010, is directed to be released along with interest accrued thereon to Respondent No.1/applicant, on furnishing of an indemnity bond and subject to the satisfaction and necessary verification of the Registrar General of this Court.



10. *Let an undertaking in the form of an affidavit be filed by Respondent No.1, setting out that in the event the appellant succeeds in the present appeal, Respondent No.1 shall return the compensation amount so released, back to the appellant.....”*

2. As per office record, an amount of ₹66,21,139/- is lying deposited in this case in the form of FDR.

3. Learned counsel for the respondent No.1 and Mr. Raaj Kumar Pasricha, erstwhile partner of respondent No.1 have submitted that in compliance of the aforesaid order of the Hon'ble Court, an Indemnity Bond and affidavit both dated 06.12.2025 have been filed by Mr. Raaj Kumar Pasricha for and on behalf of respondent No.1 for the release of the 50% of the decretal amount of ₹66,21,139/- alongwith accrued interest to him.

4. Mr. Raaj Kumar Pasricha further submitted that respondent No.1 was a partnership firm comprising of two partners, himself and his deceased brother/Ashok Pasricha and that he is the sole LR of his deceased brother. He further submitted that he had filed CM application bearing No.68394/2025 in which it was mentioned that Mr. Ashok Kumar Pasricha s/o Late Mr. Madan Lal Pasricha had expired on 25.06.2020. His wife, namely, Smt. Suman Pasricha had predeceased him as she had died at Delhi on 17.08.2017. In the application it was mentioned that Mr. Ashok Kumar Pasricha was issueless and the applicant Mr. Raaj Kumar Pasricha, his only brother, has become legal heirs of Mr. Ashok Kumar Pasricha. He had submitted that in view of the partnership deed, the applicant being the brother as well as partner of respondent no.1 firm is entitled to be substituted in place of deceased Ashok Kumar Pasricha. He had submitted that he is entitled to be substituted in terms of Hindu Succession Act as well as in terms of partnership dated 01.04.2000 since the applicant, subsequent to the death of Mr. Ashok Kumar Pasricha has



also become the sole proprietor of the firm Em Pee Metals and therefore prayed that Raaj Kumar Pasricha be substituted as respondent No.1 in place of Mr. Ashok Kumar Pasricha. The said application was allowed and Mr. Raaj Kumar Pasricha was brought on record vide order dated 03.11.2025. He further submitted that he shall refund the amount so released to him back to the appellant, or as may be directed by the Hon'ble Court, in the event the appellant succeeds in the present appeal. The statement of Mr. Raaj Kumar Pasricha, erstwhile partner of respondent No.1 in this regard has been recorded separately.

5. In view of the indemnity bond filed by Mr. Raaj Kumar Pasricha for and on behalf of respondent No.1 in compliance with the aforesaid order of the Hon'ble Court and also considering the statement made by him qua refund of the amount in the event of the appellant succeeding in the present appeal, there is no impediment in releasing the 50% of decretal amount alongwith accrued interest to him.

6. Registrar (B&A) is directed to release the 50% of the decretal amount alongwith accrued interest to Mr. Raaj Kumar Pasricha in terms of the aforesaid order passed by the Hon'ble Court after due verification and receipt.

ARUN BHARDWAJ
REGISTRAR GENERAL

DECEMBER 9, 2025/ss