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

+ RFA 185/2016

ABDUL HAKIM

..... Appellant

Through: Ms. Savita Rustogi and Ms. Soni
Kumari, Advocates.

versus

MUSTAQUEEM

..... Respondent

Through: Mr. M.S. Khan and Mr. M. Arshyan,
Advocates alongwith respondent in
person.

CORAM:

HON'BLE MR. JUSTICE GAURANG KANTH

ORDER

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03.08.2022

C.M. No. 40440/2021 (for release of amount)

1. The present application has been filed by the respondent for release of the amount deposited by the appellant in compliance of order dated 01.04.2016.
2. While granting stay of the impugned order, this Court, vide order dated 01.04.2016, directed the appellant to deposit a sum of Rs.6,000/- per month from November, 2009 to April, 2016 and continue depositing the sum of Rs. 6,000/- per month by the 15th day of each month. The appellant is stated to be depositing the said amount without fail.
3. This Court earlier, vide order dated 31.01.2018, directed for release of amount in favour of the respondent, subject to his furnishing security to the



satisfaction of the Registrar General of this Court. The said amount is stated to be released to the respondent.

4. The present application has been filed by the respondent for release of the balance amount lying in this Court. Learned counsel for the respondent submits that he is in dire need of money. Learned counsel for the appellant has filed his reply opposing the application. The main concern of the appellant is that if the appeal is decided in favour of the appellant, the respondent will not be in a position to return the money. The concern of the appellant can be addressed by ensuring adequate security for release of the money. Hence, it is directed to release the balance deposited amount to the respondent, subject to his furnishing security to the satisfaction of the Registrar General of this Court.

5. List on 18.08.2022 before the Registrar General for compliance.

6. In view of the aforesaid terms, the application stands disposed of.

GAURANG KANTH, J

AUGUST 03, 2022

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