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

+ **LA.APP. 19/2026**

MUNICIPAL CORPORATION OF DELHI

.....Appellant

Through: Mr. Sanjay Vashishtha, Standing
Counsel with Mr. Siddhartha
Goswami, Mr. Krish Bhatia and Mr.
Aditya Sachdeva, Advs.

versus

SANTOSH SURI & ANR.

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha
and Mr. M.S. Akhtar, Advs. for R-2.
Mr. S.K. Rout, Ms. Dimple Dhamija,
Mr. Aman Mehrotra, Mr. Achin
Saxena, Mr. Rahul Kumar and Ms.
Himani Katyal, Advs.

CORAM:

HON'BLE MS. JUSTICE SHAIL JAIN

ORDER

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13.04.2026

CM APPL. 23587/2026 (exemption)

1. Allowed subject to all just exceptions. Accordingly, the application is disposed of.

CM APPL. 23586/2026

2. The present application has been filed on behalf of Respondent No. 1 under Section 151 of the Code of Civil Procedure, 1908, seeking release of the amount of ₹8,07,515/-, along with accrued interest, deposited by the Appellant in terms of order dated 26th February, 2026, whereby this Court



had directed deposit of 50% of the enhanced compensation.

3. Learned counsel for Respondent No. 1 submits that in similar matters arising out of land acquisition proceedings, this Court has consistently permitted release of the deposited amount subject to furnishing of indemnity and security. Reliance is placed on the judgment of the Hon'ble Supreme Court in ***Kazi Moinuddin Kazi Bashiruddin & Ors. v. Maharashtra Tourism Development Corporation & Anr.***, 2022 SCC OnLine SC 1325, as well as orders passed by coordinate Benches of this Court.

4. It is further submitted that Respondent No. 1, whose land stands acquired, would suffer hardship on account of continued withholding of the amount, whereas no prejudice would be caused to the Appellant if the same is released subject to appropriate safeguards.

5. Issue notice.

6. Learned counsel appearing for the Appellant and Respondent No. 2 accept notice and submit that they have no objection to the release of the amount, subject to furnishing of indemnity bond and security.

7. In view of the above, the application is allowed.

8. Accordingly, the amount of **₹8,07,515/-**, along with accrued interest, if any, be released in favour of Respondent No. 1, subject to the following conditions:

- (i) 50% of the enhanced compensation shall be released to Respondent No.1 on furnishing an indemnity bond with an undertaking by way of an Affidavit. The Affidavit shall set out that in the event the Appellant succeeds in the present Appeal, Respondent No.1 shall repatriate the compensation so released back to the Appellant;



(ii) The remaining 50% of the compensation shall be released to Respondent No.1 on furnishing an adequate security to the satisfaction of the Registrar General.

9. The application stands disposed of in the above terms.

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10. List on 21st April, 2026, the date already fixed in the Supplementary List.

SHAIL JAIN, J

APRIL 13, 2026/kp/dg