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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 105/2016**

NORTH DELHI MUNICIPAL CORPORATIONAppellant

Through: Mr. Sanjay Vashishtha, St. Counsel
with Mr. Siddhartha Goswami and
Ms. Gunjan Rathore, Advs.

versus

NARESH GUPTA & ANR

.....Respondent

Through: Mr. S.K. Rout, Ms. Dimple Dhamija,
Mr. Aman Mehrotra and Mr. Rahul
Kumar, Advs. for R-1
Mr. M.S. Akhtar for Mr. Sanjay
Kumar Pathak, Adv. for R/UOI

CORAM:

REGISTRAR GENERAL KANWAL JEET ARORA

ORDER

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26.03.2025

1. Vide order dated 21.01.2025, the Hon'ble Court has, *inter alia*, passed the following order:-

“(i) 50% of the amount deposited by the Appellant, along with interest accrued thereupon, shall be released to respondent No.1 on furnishing an indemnity bond with an undertaking by way of an affidavit to the satisfaction of the worthy Registrar General of this Court.

(ii) 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.”

2. In compliance of the aforesaid order of the Hon'ble Court Indemnity Bond alongwith undertaking by way of an affidavit have been filed by the respondent No.1/Naresh Gupta in original today in the court for the purposes of releasing of 50% of the deposited amount lying deposited in this case alongwith proportionate accrued interest.

3. Learned counsel for the respondent No.1 submits that the respondent



No.1 shall be bound by the orders of the Hon'ble Court and in the event the appellant succeeding in the present appeal, he shall re-deposit the amount so released to him. It is further submitted by the learned counsel that the respondent No.1, who is present in the court today is also ready to give his statement in this Court apart from filing his Indemnity Bond and undertaking by way of an affidavit.

4. Statement of the respondent No.1 qua furnishing his indemnity bond and undertaking by way of an affidavit regarding re-deposition of the released amount in terms of any future directions of the Hon'ble Court has been recorded separately and he has also been identified by his counsel.

5. In view of the indemnity bond and the undertaking by way of an affidavit filed by the respondent No.1 in terms of the aforesaid order of the Hon'ble Court and also keeping in mind the statement given by him qua re-depositing the amount on any future directions of the Hon'ble Court or in the event of the appellant succeeding in the present appeal, I find no impediment in releasing the 50% of the deposited amount to the respondent No.1 alongwith the proportionate interest against his aforesaid indemnity bond and undertaking by way of an affidavit filed on record.

6. Registrar (B&A) is directed to release the 50% of the deposited amount alongwith proportionate accrued interest on the same to respondent No.1 in terms of the order dated 21.01.2025 passed by the Hon'ble Court after due verification and receipt.

KANWAL JEET ARORA
REGISTRAR GENERAL

MARCH 26, 2025/ss

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