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

+ **LA.APP. 102/2016**

NORTH DELHI MUNICIPAL CORPORATIONAppellant

Through: Mr. Sanjay Vashishtha, SC with
Mr. Siddhartha Goswami, Ms.
Geetanjali Reddy & Mr. Aditya
Sachdeva, Advs.

versus

ASHOK KUMAR GHAI & ANRRespondents

Through: Mr. SK Rout, Mr. Aman
Mehrotra, Mr. Rahul Kumar &
Ms. Parmita Nath, Advs. for R1
Mr. Sanjay Kr. Pathak, SC with
Mr. Sunil Kr. Jha & Mr. MS
Akhtar, Advs. for R2/UoI

CORAM:

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

% **24.09.2025**

CM APPL. 30546/2025

1. The present application has been preferred under Section 151 of the Code of Civil Procedure, 1908 on behalf of the respondent No.1/applicant seeking release of 50% of the enhanced amount of compensation deposited by the appellant with this Court on 05.11.2016 vide Demand Draft No. 006541 dated 01.11.2016 amounting to Rs. 2,79,337/- in terms of Order dated 14.09.2016 along with interest accrued thereon.

2. Issue Notice.



3. Learned counsel appearing on behalf of the appellant and learned counsel for the respondent No. 2 accept notice and have no objection to the present application being allowed subject to his furnishing indemnity bond/adequate security.

4. Heard.

5. Accordingly, as per the mandate of the Judgment of the Hon'ble Supreme Court in ***Kazi Moinuddin Kazi Bashiroddin & Ors. vs. Maharashtra Tourism Development Corporation & Anr.***; 2022 SCC OnLine SC 1325, the application is allowed and the 50% of decretal/enhanced amount already deposited by the appellant with this Court, in terms of the Order dated 14.09.2016, is directed to be released along with interest accrued thereon to Respondent No. 1 on furnishing indemnity bond subject to the satisfaction of the Registrar General of this Court.

6. Let the 50% of the deposited enhanced compensation of this differential amount be released to the applicant/respondent No. 1, subject to furnishing an indemnity bond to the satisfaction of the Registrar General, along with proportionate accrued interest.

7. In view of the above, the application stands disposed of.

RENU BHATNAGAR, J

SEPTEMBER 24, 2025/pr/sm