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

+ **LA.APP. 109/2016**

NORTH DELHI MUNICIPAL CORPORATIONAppellant

Through: Mr. Sanjay Vashishtha, St. Counsel
and Mr. Siddhartha Goswami, Ms.
Harshita Rai, Ms. Gunjan Rahotre,
Adv.

versus

DEVINDER KUMAR & ANRRespondent

Through: Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Achin Saxena, Mr. Rahul Kumar
and Ms. Pramita Nath, Advs. for R-1
alongwith R-1 in person
Mr. Divakar Kapil, Adv. for Mr.
Sanjay Kumar Pathak, St. Counsel for
R-2/UOI.

CORAM:

REGISTRAR GENERAL SH. ARUN BHARDWAJ

ORDER

04.08.2025

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1. Vide orders dated 17.02.2025 and 09.07.2025, the Hon'ble Court has,
inter alia, passed the following orders:-

“17.02.2025

.....

(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.....

09.07.2025

.....

5. Accordingly, paragraph 5(i) of the order dated 17.02.2025 is modified to reads as follows:

“5. (i) 50% of the enhanced amount which is 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.....”.

2. As per office report an amount of ₹5,02,970/- is lying deposited in this case in the shape of an FDR.

3. In compliance of the aforesaid order of the Hon’ble Court Indemnity Bond dated 22.07.2025 and undertaking by way of the affidavit dated 22.07.2025 have been filed by the respondent No.1 in original today in the court for the purposes of releasing of 50% of the enhanced amount deposited by the appellant alongwith accrued interest thereon to respondent No.1.

4. Learned counsel for the respondent No.1 submitted that the respondent No.1 shall be bound by the orders of the Hon’ble Court and in the event the appellant succeeds in the present appeal, the respondent No.1 shall repatriate/ refund the amount so released to respondent No.1 back to the appellant. Learned counsel for the respondent No.1 submitted that respondent No. 1 is also ready to give his statement in this Court to this effect apart from filing his Indemnity Bond and Undertaking by way of an affidavit.

5. Statement of the respondent No.1 has been recorded separately in this regard and he has been identified by his counsel.



6. In view of the indemnity bond and undertaking by way of an affidavit filed by the respondent No.1 in terms of the aforesaid orders of the Hon'ble Court and also keeping in mind the statement given by respondent No.1 qua repatriate/refund of the amount in the event of the appellant succeeding in the present appeal, there is no impediment in releasing the 50% of the enhanced amount/decretal amount deposited by the appellant in this court to respondent No.1 alongwith the interest against the aforesaid indemnity bond and undertaking by way of the affidavit.

7. Registrar (B&A) is directed to release the 50% of the enhanced amount deposited by the appellant in this court alongwith accrued interest to respondent No.1 in terms of orders dated 17.02.2025 and 09.07.2025 after due verification and receipt.

(ARUN BHARDWAJ)
REGISTRAR GENERAL

AUGUST 4, 2025/ss