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

+ **LA.APP. 98/2016**

NORTH DELHI MUNICIPAL CORPORATIONAppellant

Through: Mr. Sanjay Vasihshtha,
Standing Counsel with Mr.
Siddhartha Goswami, Ms.
Geetanjali Reddy and Mr.
Aditya Sachdeva, Advs.

versus

MOHAN LAL GHAI & ANRRespondents

Through: Mr. S. K. Rout, Ms. Dimple
Dhamija, Mr. Achin Saxena
and Mr. Rahul Kumar, Advs.
for R-1.
Mr. Sanajy Kumar Pathak,
Standing Counsel with Mr. M.
S. Akhtar and mr. D. Kapil,
Advs. for UOI/R-2.

**CORAM:
HON'BLE MS. JUSTICE RENU BHATNAGAR**

ORDER
16.10.2025

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CM APPL. 65439/2025 (Exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 65438/2025 (for release of 50% of enhanced amount of compensation)

2. The present application has been filed on behalf of Respondent No.1 under Section 151 of Civil Procedure of Code, 1908 seeking directions for release of 50% of the enhanced amount of compensation



duly deposited by the appellant with the Registrar General of this Court along with interest accrued thereon.

3. Learned counsel for appellant and respondent No.2 submits that they have no objection to the present application being allowed subject to his furnishing indemnity bond/adequate security.

4. Perusal of the record reveals that *vide* order dated 14.09.2016, this Court granted stay of execution subject to appellant depositing 50% of the enhancement ordered by the Reference Court which amount was deposited by the appellant.

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 as already deposited by the appellant *vide* Order dated 14.09.2016 is directed to be released along with interest accrued thereon, subject to furnishing of an indemnity bond/security to the satisfaction of the Registrar General, after necessary verification, along with an undertaking that the Respondent No. 1 shall return the same in the event of the appeal succeeding.

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

RENU BHATNAGAR, J

OCTOBER 16, 2025

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