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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LA.APP. 181/2018

HINDUSTAN PETROLEUM CORPORATION LIMITEDAppellant

Through: Mr. Gaurav Raj, Adv. (Through VC)

versus

GYAN PRAKASH & ORS

.....Respondent

Through: Mr. Jai Saini, Adv. for R-5 to 9
alongwith R-5 to 9 and Raj Mal/Surety
in person

Mr. Divakar Kapil for Mr. Sanjay
Kumar Pathak, St. Counsel for
R-10/UOI

CORAM:

REGISTRAR GENERAL SH. ARUN BHARDWAJ

ORDER

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16.10.2025

1. Vide order dated 12.09.2018, the Hon'ble Court has passed the following order:-

“.....

8. *Subject to the appellant depositing the entire decretal amount in this Court within two months of today as sought, there shall be stay of execution. If the amount is not so deposited, the land owners/private respondents shall be entitled to execute the judgments and decrees impugned in these appeals, subject to restitution in the event of appeals succeeding. Upon the amounts being so deposited, the land owners/private respondents shall be entitled to withdraw the same, subject to furnishing security to the satisfaction of the worthy Registrar General of this Court for refund thereof with interest at such rate as may be ordered, in the event of the appeals succeeding. Else, the amounts be kept in the maximum interest bearing account.....”*

2. On perusal of the record, it reveals that 5 FDRs of Rs.2,90,277/- being the 1/9th share each are lying deposited in this case.

3. In compliance of the aforesaid directions, as security, Mr. Raj Mal/surety has furnished his land/property comprising in Khata No.189/95



min Khatauni 1998-99, Khasra No.99//4(4-16) and 99//5(4-10), situated in the revenue estate of Village Tikri Kalan, Delhi in which he is having 1/5th Share i.e. 37.2 Biswas (1 Bigha 17 Biswa) for and on behalf of Respondents No.5/Asha, 6/Babita Singh @ Babita, 7/Geeta Singh @ Geeta, 8/Savita and 9/Kalawati Singh @ Kela Wati for the release of their 1/9th share each in the amount deposited by the appellant. He has also furnished copy of the revenue record in support of his ownership rights and also filed original security bonds in this regard. Learned counsel for respondents No.5 to 9 requested that the aforesaid 1/9th share each be released to respondents No.5 to 9 against the aforesaid security.

4. On 11.08.2025, Mr. Nishant, Patwari from the office of SDM, Punjabi Bagh, New Delhi had placed on record report dated 08.08.2025 issued by Mr. Deepak Pundir, (Danics), SDM, Punjabi Bagh, New Delhi. As per such report, Mr. Raj Mal/surety is the owner of 1/5th share in the abovesaid land/property; the value of his 1/5th share in the aforesaid land/property is ₹20,53,750/-; there is no encumbrance on the abovesaid land/plot and also he is having physical possession of his share.

5. Statements of respondents No.5 to 9 and Mr. Raj Mal/Surety have been recorded separately qua releasing the amount to respondents No.5 to 9 as per their share i.e. 1/9th share each against the aforesaid land/property, furnished as security. They had been identified by their counsel.

6. It is also pertinent to mention here that learned counsel for the appellant and respondent No.10/UOI have not filed any objection to the aforesaid security offered by Mr. Raj Mal/surety for and on behalf of respondents No.5 to 9.

7. Based on the above, it seems quite evident and apparent that the value



of land/property furnished as security by Mr. Raj Mal/Surety for and on behalf of respondents No.5 to 9 is sufficient to secure the amount to be released to respondents No.5 to 9.

8. Having regard to the statements of Mr. Raj Mal/Surety, respondents No.5 to 9 and the report of the SDM, Punjabi Bagh, Delhi in respect of the abovesaid land/property, the security furnished by Mr. Raj Mal/Surety for and on behalf of respondents No.5 to 9 is hereby accepted, subject to the condition that respondents No.5 to 9 shall refund the amount with interest, at such rate as may be ordered, in the event of the appeal succeeding, failing which such amount shall be liable to be recovered by the Court by putting the aforesaid land/property furnished as security on sale and they will not be permitted to protest the same on any ground whatsoever, as undertaken by them.

9. The Deputy Registrar concerned is directed to send a communication to the concerned SDM and Sub-Registrar through speed post as well through electronic mode that Mr. Raj Mal/surety has furnished his 1/5th share in the aforesaid land/property as security in this case and no alienation in respect thereof shall be permitted. Necessary entry to this effect be made in their records and a compliance report be obtained from them forthwith.

10. On receiving the aforesaid reports from the concerned SDM and Sub-Registrar, Registrar (B&A) shall release 1/9th share each in the deposited amount to respondents No.5 to 9 in terms of order dated 12.09.2018 passed by the Hon'ble Court, after due verification and receipt.

ARUN BHARDWAJ
REGISTRAR GENERAL

OCTOBER 16, 2025/ss