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

+ LA.APP. 272/2017

UNION OF INDIA

..... Appellant

Through: Mr.Sunil Kumar Jha &
Mr.M.S.Akhtar, Advs.

versus

AMITA GUPTA AND ANR

..... Respondents

Through: Counsel (appearance not given)

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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13.03.2023

CM APPL. 571/2023 (directions)

1. This is an application filed by the appellant with a grievance that despite the appellant having deposited the amount in terms of this Court's order dated 28.08.2017 with the Registrar General of this Court, the learned Executing Court is proceeding with the execution of the award. He, however, concedes that the amount was required to be deposited with the learned Reference Court.
2. Upon notice being issued, learned counsel for the respondents enters appearance and submits that the amount was required to be deposited with the learned Reference Court so that the same could be released in favour of the respondents in accordance with the said order. He, therefore contends that the appellant not having deposited the amount with the Reference Court, the Executing Court is justified in proceeding with the execution.
3. Having considered the submissions of learned counsel for the parties



2023, PAGE 49/52

and taking into account that the appellant had wrongly deposited the sum of Rs.1,58,32,047/- with the Registrar General of this Court vide Cheque No. 004753 dated 15.01.2018, which amount was required to be deposited with the learned Reference Court, the Registry is directed to forthwith transmit the aforesaid amount alongwith accrued interest thereon to the learned Reference Court. The learned Reference Court will, therefore, release the same in favour of the respondent in accordance with the conditions imposed by this Court vide order dated 28.08.2017. The Execution proceedings will, as directed on 28.07.2017 remain stayed during the pendency of the present appeal. In order to facilitate this transfer in an expeditious manner, it will be open for the respondent to pursue the matter with the Registry.

4. The application stands disposed of in the aforesaid terms.

LA.APP. 272/2017

5. The appeal already stands admitted.

6. List in the category of *Regular Matters* as per its own turn.

REKHA PALLI, J

MARCH 13, 2023

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