

Naresh Kumar and another vs. Santosh Kumar

RSA No.287 of 2018

04.05.2026 Present: Mr. Neeraj Gupta, Senior Advocate with Mr. Janesh Gupta, Advocate, for the appellants.

Mr. Praveen Chauhan, Advocate, vice counsel, for the respondent.

CMP No.8087 of 2024

In sequel to the previous order, it is informed by learned counsel for the respondent/non-applicant that though, an appeal has been filed before the Hon'ble Apex Court, but till date no stay has been granted by the Hon'ble Supreme Court.

In a decided matter, the present application has been filed for release of decretal amount, which stands deposited in the Registry of this Court. As per report of the Registry, the amount is lying deposited before this Court. Since, the appeal stands decided by this Court on 05.04.2024, therefore, the entire decretal amount along with up-to-date interest is ordered to be released in favour of the applicants by remitting the amount in their saving bank accounts, the details whereof have been given in para-5 of the application.

The present order shall be subject to the following conditions:

- (a) That the applicants shall furnish an undertaking along with security bond before the Registrar (Judicial) to the effect that in case the appeal as preferred by the non-applicant, which is

pending before the Hon'ble Apex Court is accepted, in that event the entire amount, which shall be paid in favour of the applicants, shall be refunded back, along with up-to-date interest. without any protest by the non-applicant.

(b) The security bond, along with the undertaking, shall be furnished within three weeks to the satisfaction of the Registrar (Judicial).

Though, the bank account of applicant No.1 has been furnished, learned Senior Counsel for the applicants undertakes to furnish the details of saving bank account of applicant No.2 within a period of two weeks from today. In the event of doing so, the amount shall be remitted to the applicants in equal shares, along with up-to-date interest.

Accordingly, the application stands disposed of.

(Romesh Verma)
Judge

May 04, 2026
(vt)