RFA No. 431 of 2015.

07.03.2018 Present: Mr. Romesh Verma, Advocate for the appellants.

Mr. K.B. Khajuria, Advocate for respondent No.1.

Mr. S.C. Sharma & Mr. Narinder Guleria, Addl. A.Gs. for respondents No.2 & 3.

CMP No. 283 of 2018.

In view of the averments in this application, a sum of ₹1,84,455/- is stated to be deposited in excess in the main appeal. As reported by the Registry, a sum of ₹20,90,000/- is lying deposited in this case. In view of further averments in the application, only a sum of ₹19,05,545/- is due and payable under the impugned award to non-applicants/respondents. Mr. Khajuria, learned counsel, on instructions, submits that the excess amount may be released to the applicant-appellant. The application, as such, is allowed. Consequently, out of ₹20,90,000/- lying deposited in the Registry of this Court ₹1,84,455/- together with proportionate interest be released to the applicant-appellant. The remaining amount shall, however, remain invested in fixed deposit. The application stands disposed of.

CMP No. 9928 of 2017.

Although a sum of ₹20,90,000/- is lying deposited in this case as per report in ‘B’ part of the file, yet vide separate order of the day passed in CMP

No. 283 of 2018, a sum of ₹1,84,455/- being excess amount has been ordered to be refunded together with proportionate interest to non-applicant/appellant. Out of remaining amount i.e. ₹19,05,545/-, 50% together with proportionate interest be released to applicant/respondent Nikka, by remitting the same to his account, particulars whereof find mention in para 5 of the application and also the extract of passbooks Annexure A-1. The remaining 50% shall, however, remain invested in fixed deposit during the pendency of the appeal. The application is accordingly allowed and stands disposed of.

(Dharam Chand Chaudhary),
Judge

March 07, 2018 (ps)