

RFA No.425 of 2015

29.12.2021 Present: Mr. Romesh Verma, Advocate for the appellant/ non-applicant

Mr. Kulbhushan Khajuria, Advocate, for respondents/ applicants

Mr. Hemant Vaid, Additional Advocate General, for non applicants/ respondents

CMP No.15671 of 2021

This application has been filed on behalf of respondents No. 1 and 2 for release of amount of compensation in their favour. Release of amount has been opposed by Mr. Romesh Verma, Advocate on the ground that amount of compensation determined by Reference Court is on higher side, which is likely to be reduced at the time of final adjudication of the appeal.

Learned counsel for the respondents-applicants submits that landed property of the applicant has been utilized for public purpose and they are agitating for just and fair compensation since long. He further submits that applicants are also ready to furnish security bond, in case amount of compensation is released in their favour.

Considering the rival contentions of the parties, at this stage, 50% of amount of compensation is ordered to be released in favour of respondents-applicants No. 1 and 2, in equal shares, as per their entitlement alongwith up to date

interest, on furnishing security/surety bonds to the satisfaction of Registrar General within two weeks from today, by remitting the same in their bank accounts mentioned in para 5 of the application, photocopies of front pages of pass books have also been placed on record.

Needless to say that release of the amount shall be subject to final outcome of the appeal and in case it is found that excess amount has been released to the respondents-applicants, they shall be liable to refund the same alongwith interest.

Application stands disposed.

(Vivek Singh Thakur)
Judge

December 29, 2021
(veena)