

RFA No. 429 of 2015.

28.03.2018

Present: Mr. B.C. Verma, Advocate for the appellants.

Mr. Pushpender Verma, Advocate vice counsel for respondents No.1 to 6.

Mr. S.C. Sharma, Addl. A.Gs. with Mr. Kunal Thakur, Dy. A.G. for respondents No.7 & 8.

CMP No. 978 of 2018.

In view of the averments in this application, a sum of ₹17,34,547/- is stated to be deposited in excess in the main appeal. As reported by the Registry, a sum of ₹75,50,000/- is lying deposited in this case. In view of further averments in the application, only a sum of ₹58,15,453/- is due and payable under the impugned award to non-applicants/respondents. Mr. Pushpender Verma, Advocate, appearing vice Mr. K.B. Khajuria, Advocate, on instructions, submits that the excess amount may be released to the applicant-appellant. The application, as such, is allowed. Consequently, out of ₹75,50,000/- lying deposited in the Registry of this Court ₹17,34,547/- 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. 979 of 2018.

Although a sum of ₹75,50,000/- 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. 978 of 2018, a sum of ₹17,34,547/- being excess amount has been ordered to be refunded together with proportionate interest to non-applicant/appellant. Out of remaining amount i.e. ₹58,15,453/-, 50% together with proportionate interest be released to applicants/respondents Dila Ram, Joginder Pal, Nand Lal, Raj Kumar, Hem Raj and Anjana, in equal share, by remitting the same to their accounts particulars whereof find mention in para 5 of the application and also the extract of passbooks Annexed to this application. The remaining 50%, however, shall remain invested in fixed deposit during the pendency of the appeal. The application is accordingly allowed and stands disposed of.

CMP No. 8418 of 2017.

Reply be filed within four weeks.
Rejoinder, if any, be filed within two weeks thereafter.
List along with the main appeal at the time of final hearing.

March 28, 2018 (ps)

(Dharam Chand Chaudhary),
Judge