

**RFA No. 430 of 2015.**

07.03.2018

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

Mr. K.B. Khajuria, Advocate for respondents No.1 to 3.

Mr. S.C. Sharma & Mr. Narinder Guleria, Addl. A.Gs. for respondents No.4 and 5.

**CMP No. 286 of 2018.**

In view of the averments in this application, a sum of ₹9,76,603/- is stated to be deposited in excess in the main appeal. As reported by the Registry, a sum of ₹45,80,000/- is lying deposited in this case. In view of further averments in the application, only a sum of ₹36,03,397/- 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 ₹45,80,000/- lying deposited in the Registry of this Court ₹9,76,603/- 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. 10110 of 2017.**

Although a sum of ₹45,80,000/- 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. 286 of 2018, a sum of ₹9,76,603/- being excess amount has been ordered to be refunded together with proportionate interest to non-applicant/appellant. Out of remaining amount i.e. ₹36,03,397/-, 50% together with proportionate interest be released to applicants/respondents Ram Lal, Amar Nath and Devku, 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 Annexure A-1 (Colly.). 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.

March 07, 2018 (ps)

(Dharam Chand Chaudhary),  
Judge