

NIC Ltd. vs. Pinki Devi & others

FAO No.280 of 2021

27.11.2025

Present: Mr. Ishan Sharma, Advocate, for the appellant.

Ms. Suhani Gautam, Advocate, for respondents No.1 to 4.

Mr. Vivek Negi, Advocate, for respondent No.5.

None for respondent No.6.

CMP No.26564 of 2025

The instant application has been filed on behalf of applicants/respondents No.1 & 4, namely, Pinki Devi and Kunta Devi, for release of awarded amount in their favour, as per their shares, as lying deposited in the Registry of this Court.

As per the applicants, they are in dire need of money and as the main appeal is pending adjudication before this Court, which may take some time for its disposal, their prayer for release of amount of compensation, as lying deposited in the Registry of this Court, may be accepted and the amount, as prayed for, may be ordered to be released in their favour.

No reply is intended to be filed on behalf of the non-applicant/appellant, but has opposed the application on the ground that if the amount, as prayed, is released in favour of the applicants/respondents No. 1 & 4, it would be difficult for it to recover the same in the event of appeal being allowed, which would result into the multiplicity of litigation between the parties. Hence, prayer for dismissal of the application has been made.

Heard. Having perused the averments made in the application, which are duly supported with the affidavits of applicants/respondents No.1 & 4, namely, Pinki Devi and Kunta Devi, and also in view of the fact that the appeal may take sufficiently long time for its final adjudication, this Court finds it in the interest of justice to release 30% each of the awarded amount of compensation in favour of applicants/respondents No.1 & 4, namely, Pinki Devi and Kunta Devi alongwith up-to-date interest, after proper verification and identification by remitting the same to their saving bank accounts, details whereof have been given in Para-5 of the application.

However, the release of amount will be subject to the final outcome of the appeal and in the event of appeal being allowed, applicants/respondents No.1 & 4, namely, Pinki Devi and Kunta Devi, will have to refund the amount, so released, with interest.

Application stands disposed of.

(Sushil Kukreja)
Judge

November 27, 2025
(reena)