

Vs. Lajwanti Devi & Ors.

FAO No.76 of 2023

27.11.2025	Present:	Mr. Jagdish Thakur, Advocate, for the appellant.
		Mr. Vivek Sharma, Advocate, for respondents No.1 & 2.
		Mr. Ashish Thakur, Advocate, for respondent No.3.

CMP No.25076 of 2025

The instant application under Section 151 of CPC has been filed on behalf of applicants/respondents No.1 and 2, for release of the awarded amount of compensation.

2. As per the applicants, they are in dire need of money to carry out the repair of house as well as to meet out day-to-day expenses. Therefore, it is prayed that the awarded amount of compensation alongwith up-to-date interest, which is lying deposited in the Registry of this Court, may be released to them as per their respective shares. The application is duly supported with the affidavits of the applicants.

3. The prayer made in the application is opposed by the learned counsel for the non-applicant/appellant on the ground that in the event of appeal being allowed, it would be difficult for the appellant to recover the amount, so released.

4. Heard. Having perused the averments made in the application, which are duly supported with the affidavits of the applicants/respondents No.1 & 2, this Court finds it in the interest of justice to release 30% of the amount each in favour of applicants/respondent No.1 & 2, out of their respective

shares in the total awarded amount of compensation, which is lying deposited in the Registry of this Court, after proper verification and identification by remitting the same to their respective bank accounts, details whereof have been given in para-8 of the application.

5. It is made clear that release of the awarded amount shall be subject to final outcome of the appeal and in the event of appeal being allowed, the applicants/respondents No.1 and 2 will have to refund the amount, so released, with interest @ 6% per annum.

6. The application stands disposed of.

(Sushil Kukreja)
Judge

November 27, 2025
(V.Himalvi)