

**Banti Devi and another vs. Rakesh Sharma and others**

**CMP No.24569 of 2024 in**  
**RSA No.314 of 2022**

09.07.2025 Present: Mr. H.C. Sharma, Advocate, for the appellants.

Mr. Navlesh Verma and Ms. Saloni Nee Susham Lata,  
Advocate, for the applicants/ respondents No.1 and 2.

None for respondent No.3.

Mr. Shashi Shirshoo, Senior Panel Counsel, for  
respondent No.4.

None for respondent No.5.

Perused the judgment passed by the Trial Court dated 05.03.2022, whereby the suit filed by applicants No.1 and 2/respondents No.1 and 2 herein, had been decreed. One of the consequence of decreeing the suit being that the present respondents No.1 and 2/plaintiffs before the Trial Court were entitled to recovery of use and occupation charges @ of 1,000/- p.m. from the date of filing of the suit till the recovery of the possession from the non-applicants/appellants No.1 and 2. The appeal preferred against the said judgment and decree was dismissed by the First Appellate Court on 30.07.2022. Regular First Appeal preferred there from by the present non applicants/appellants was dismissed vide judgment dated 11.10.2023. Special Leave to Appeal preferred was also dismissed by the Apex Court.

In view of the aforesaid, amount lying deposited in the Registry of this Court along-with proportionate interest accrued thereupon is ordered to be released in favour of the applicants/respondents No.1 and 2 herein, in terms of their respective shares. The amount be remitted to their bank

account(s), details whereof have been given in Paragraph-4 of the application, subject to proper verification. The application stands disposed of.

**July 09, 2025** (KS)

**( Bipin C. Negi )**  
**Judge**