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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ EX.P. 278/2012, 279/2012 & 288/2012

UNION OF INDIA(APO) Decree Holder
Through: Mr Anuj Aggarwal & Mr Gaurav
Khanna, Advs.

versus

DELHI STATE CIVIL SUPPLIES
CORPORATION LTD Judgement Debtor
Through: Ms Shifalika Dalmia for Ms Anju
Bhattacharya, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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25.07.2013

In the captioned petitions, it is not disputed by the decree holder that pursuant to the orders passed by the Division Bench in three different appeals, i.e., FAO(OS) Nos. 529/2009, 541/2009 & 531/2009, directions have been issued for release of monies deposited by the judgment debtor. The orders in the three appeals bear an identical date, which is, 05.04.2010. The amount which the Division bench has ordered release of, are as follows:

FAO(OS) No 529/2009 – Rs. 62,33,600/-

FAO(OS) No 541/2009 – Rs. 58,44,600/-

FAO(OS) No 531/2009 – Rs. 98,81,600/-

These amounts are, admittedly, kept in fixed deposits.

In the captioned execution petitions, this court has also directed, in each of these petitions, on 14.12.2012, release of amounts in favour of

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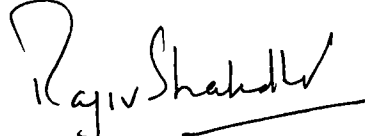
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the decree holder after due identification.

To date no steps have been taken by the decree holder to seek release of the amounts. Counsel for the decree holder tells me today that, the nomenclature of the entity in whose name release has been ordered by the Division Bench is not correct and, therefore, an appropriate application would have to be filed before the Division Bench in each of the above-mentioned appeals.

It may also be noted that this court vide its orders passed on 14.12.2012 in the captioned petitions, had given liberty to the decree holders to file calculations, if any, vis-a-vis the balance decretal amount, which may be payable under the decree after the release of the amounts referred to above. No steps have been taken in this behalf as well. Learned counsel for the decree holder says that since they are not aware as to the total amount of interest which has accrued, the calculations could not be filed as directed by this court.

The captioned petitions are disposed of in view of the fact that Division bench of this court has already ordered release of monies to the decree holder. In case any amounts are outstanding against the decrees, the decree holder, would have the liberty to approach this court with up to date calculations in place.


RAJIV SHAKDHER, J

JULY 25, 2013

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