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

+ RSA 174/2016

DHIRENDER KUMAR

..... Appellant

Through: Mr.Kedar Yadav, Mr.Hemant Sharma  
& Mr.Harkaran Singh, Advocates

versus

SANJIV KUMAR

..... Respondent

Through: None

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

% **29.03.2017**

CM No.12562/2017

1. By way of this application, appellant/applicant is seeking refund of 50% decretal amount lying deposited in this Court.
2. Vide order dated 15<sup>th</sup> July, 2016 in CM No.24625/2016 (stay), in RSA No.174/2016, following directions were issued which reads as under:

*“2. Counsel for the appellant says that appellant agrees that appellant will deposit 50% of the decretal amount in this Court for staying operation of the impugned judgments and decrees.*

*3. Accordingly, subject to the appellant depositing 50% of the decretal amount in this regard within a period of four weeks from today, the operation of the impugned judgments and decrees dated 18.12.2012 and 22.3.2016 will remain stayed till further orders unless varied by the Court.”*

3. Since RSA 174/2016 filed by the appellant herein has already been allowed vide order dated 20<sup>th</sup> December, 2016, an amount deposited by the appellant in compliance of order dated 15<sup>th</sup> July, 2016, is directed to be released to him.

4. The application is allowed.

**PRATIBHA RANI, J.**

**MARCH 29, 2017/‘pg’**