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

+ MAC.APP. 477/2015

RAJBIR ..... Appellant

Through: Mr. S.C. Sharma, Advocate

versus

BHUMANI DAS AHIRWAR & ORS ..... Respondents

Through: Mr. R.P. Tiwari, Advocate for  
respondent No.1

**CORAM:**

**HON'BLE MR. JUSTICE J.R. MIDHA**

**ORDER**

% **31.08.2016**

1. The appellant and respondent No.1 are present in Court along with their counsels.
2. Learned counsel for respondents No.1 and 2, on instructions from respondent No.1 submits that respondents No.1 and 2 are ready to accept compensation of Rs.3,75,000/- along with interest thereon @ 9% per annum in terms of the appellant's submission recorded in para 2 of the order dated 21<sup>st</sup> July, 2016.
3. The appeal is allowed and the award amount is reduced from Rs.5 lakh to Rs.3,75,000/- along with interest @ 9% per annum w.e.f. 28<sup>th</sup> March, 2012 upto the date of deposit.
4. The appellant has deposited Rs.5,23,500/- with UCO Bank, Delhi High Court Branch in terms of order dated 21<sup>st</sup> July, 2016. Respondent No.1, present in Court, submits that he has savings bank account No.34893166829 with State Bank of India (CIF No.88408077342, IFSC Code No.SBIN0003712), Lidhora Branch, Village and Post Office Lidhora.

5. UCO Bank, Delhi High Court Branch is directed to keep a sum of Rs.4,50,000/- in fixed deposit in the following manner:

| Sl. No.     | Duration of FDR | <u>Respondent No.1</u><br>FDR amount<br>(Rs.) | <u>Respondent No.2</u><br>FDR amount<br>(Rs.) |
|-------------|-----------------|-----------------------------------------------|-----------------------------------------------|
| 1.          | 1 year          | 50,000/-                                      | 50,000/-                                      |
| 2.          | 2 years         | 50,000/-                                      | 50,000/-                                      |
| 3.          | 3 years         | 50,000/-                                      | 50,000/-                                      |
| 4.          | 4 years         | 50,000/-                                      | 50,000/-                                      |
| 5.          | 5 years         | 50,000/-                                      | -                                             |
| TOTAL       |                 | 2,50,000/-                                    | 2,00,000/-                                    |
| GRAND TOTAL |                 |                                               | 4,50,000/-                                    |

6. The balance amount after issuing FDRs for Rs.4,50,000/- be released to the respondents No.1 and 2 in equal shares by transferring the same to their individual savings bank accounts.

7. Respondent No.1 shall furnish the particulars of the savings bank account of respondent No.2 to UCO Bank, Delhi High Court Branch.

8. Monthly interest on the FDRs of the respondents No.1 and 2 shall be credited in their individual savings bank accounts.

9. At the time of maturity, the fixed deposit amount shall be automatically credited in the individual savings bank accounts of the beneficiaries.

10. All the original FDRs shall be retained by UCO Bank, Delhi High Court Branch. However, the photocopies of the same shall be provided to the respondents No.1 and 2.

11. No cheque book or debit card be issued to the claimants/respondents No.1 and 2 without permission of the Court.

12. No loan or advance or pre-mature discharge shall be permitted without the permission of this Court.

13. The claimants/respondents No.1 and 2 shall approach the UCO Bank

for completing the formalities for the disbursement of the award amount in terms of this order.

14. UCO Bank, Delhi High Court Branch shall ensure that the savings bank accounts of respondents No.1 and 2 are individual accounts and not joint accounts.

15. Respondents No.1 and 2 are at liberty to approach this Court for release of further amount in case of any financial exigency.

16. The statutory amount deposited by the appellant be refunded to the appellant within three weeks.

17. Copy of this order be given *dasti* to learned counsel for the parties under signature of Court Master.

18. Copy of this order be sent to UCO Bank, Delhi High Court Branch.

**J.R. MIDHA, J.**

**AUGUST 31, 2016**

**rsk**