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

+ **RSA 302/2015**

USHA RANI & ORS. Appellants

Through: Mr. Ajay Bansal, Advocate.

Versus

NARENDER CHAUHAN Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

O R D E R

% **19.01.2018**

C.M.No. 2206/2018 (for releasing FDRs)

It is the applicant's case that the lis has been settled amicably between the parties and the possession of the suit property had been handed over to the respondent in terms of this Court's order dated 08.09.2016. Hence, in terms of the aforesaid order, the applicant seeks release of the Fixed Deposit Receipts (FDRs) bearing Serial No. KG026114, KG026856 as well as cancellation of endorsement from the FDR Serial No. Ki 030452 for Rs.4,14,000/- and Sale Deed dated 22.04.2008 apropos the property No. S-4/44 (OLD No. WZ-143A/10), Plot No.20, G-Block, Khasra No. 64, Village Nangli Jalib, Colony known as Mahavir Nagar, New Delhi- 110018.

The learned counsel submits that since the settlement has been duly satisfied and compliances of this Court's aforesaid order had been made, therefore, there is no impediment in release of the aforementioned FDRs and cancellation of endorsements from other documents, which were deposited as security for payments. However, he submits that in the interim, unfortunately, the appellant No.1 - Ms. Usha Rani, the

mother of the applicant has passed away. The other appellants are stated to be the legal heirs and the children of deceased Ms. Usha Rani. Their respective affidavits are on record and hold no objection to the release of the aforementioned FDRs to the applicant. The same read as under:-

“3. That I have no objection if the FDR SL. No. KG026114 and KG026856 are released in favour of appellant No.4 namely Sh. Jitender Kumar and endorsement over the FDR SL. No. 030452 and the Sale Deed of Property bearing No. S-4/44, Mahavir Nagar, New Delhi-110018 which were kept as security by Smt. Mamta w/o Dharam Raj be removed.”

In view of the aforesaid, the Court finds no impediment in grant of the prayer sought. Accordingly, the application is allowed. The FDRs bearing Serial No. KG026114 and KG026856 be released in favour of the applicant, Mr. Jitender Kumar son of Late Sh. Fateh Singh and the endorsements on the FDR Serial No. KL 030452 for Rs.4,14,000/- as well as the Sale Deed dated 22.04.2008, as aforementioned, be removed and handed over to the applicant.

The application stands disposed off in the above terms.

NAJMI WAZIRI, J.

JANUARY 19, 2018

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