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

+ RFA 505/2016

SUNIL KUMAR SHARMA & ANR

..... Appellants

Through: Ms. Surbhi Gupta, Advocate along with
both the appellants in person.

versus

NAVNEET GUPTA

..... Respondent

Through: Mr. Ankan Suri, Advocate.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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31.05.2017

CM No. 22119/2017 (for clarification)

Notice. Learned counsel for the respondent accepts the notice.

It is submitted that a DD No.061859 dated 30.08.2016 for Rs.8,50,000/- was deposited with the Registry on behalf of the appellant on 03.09.2016. By the order of the Court, this amount was kept in FDR No.15530310645932 dated 12.09.2016 with the UCO Bank, High Court of Delhi, New Delhi Branch for a period of one year. The appellant has deposited this amount pursuant to the direction of this Court dated 04.08.2016.

The parties have arrived at settlement before Delhi High Court Mediation & Conciliation Centre which was recorded by this Court on 31.03.2017 and the appeal was disposed of accordingly.

As per the settlement out of the said FDR amount of Rs.8,50,000/- and accrued interest thereon, a sum of Rs.5 lacs was payable to the

respondent and rest of the amount is to be refunded to the appellants.

A note has been received from the Registry that there are two appellants and there is no direction with regard to the share of the each appellant.

Now the CM has been filed along with an affidavit of appellant No.1 that the balance amount of the FDR may be paid to the appellant no.1.

Both the appellants are in person. The appellant no.2 has placed on record his affidavit in which he *inter-alia* states that his share of the amount may also be refunded to appellant no.1.

The learned counsel for the parties submit that out of the FDR of Rs.8,50,000/-, a sum of Rs.5 lacs may be released by the Registry directly to the respondent and remaining amount of Rs.3,50,000/- with accrued interest on the entire amount of Rs.8,50,000/- be refunded to appellant no.1.

In these circumstances, worthy Registrar General is directed that out of the said FDR, a sum of Rs.5 lacs be released to the respondent and remaining amount of Rs.3,50,000/- with accrued interest on the entire amount of Rs.8,50,000/- be refunded to appellant no.1.

CM is disposed of accordingly.

VINOD GOEL, J.

MAY 31, 2017

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