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

\+ FAO 156/2017

RAM KARTAR SINGH ..... Appellant

Through: Mr. P.K. Kar, Adv.

versus

MANJU & ORS ..... Respondents

Through: Mr. Vinod Kumar, Adv. for R1 to R3 with respondent No.1 in person.
Mr. O.P. Mishra and Mr. Ashok Sharma, Advs.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

<u>O R D E R</u>

% 28.11.2017

1. Learned counsel for respondent No.4 submits that he has deposited Rs.10,15,571/- with UCO Bank, Delhi High Court Branch on 17th November, 2017 in terms of the order dated 06th November, 2017. According to learned counsel for respondent No.4, the computation of Rs.10,15,571/- is as under:-

Principal amount	*Rs.6,78,413/-*
Interest from 21st March, 2012 to 31st August, 2017 (5 years, 5 months, 10 days) @ 12%	*Rs.4,37,158/-*
Total	*Rs.11,15,571/- [6,78,413+4,37,158]*
Less	*Rs.1,00,000/-*
Balance	*Rs.10,15,571/-*

2. Learned counsel for the appellant submits that he has deposited Rs.1,00,000/- in terms of the order dated 06th November, 2017 with UCO Bank, Delhi High Court Branch on 24th November, 2017.

3. Vide order dated 06th November, 2017, this Court had passed the order with respect to the disbursement of Rs.1,00,000/- to be deposited by the appellant. Since the disbursement has not yet taken place, para-3 to 6 of the order dated 06th November, 2017 are recalled and the fresh disbursement order is passed today with respect to the entire amount of Rs.11,15,571/- (Rs.10,15,571/- deposited by respondent No.4 and Rs.1,00,000/- deposited by the appellant with UCO Bank, Delhi High Court Branch).

4. Respondent No.1 is present in Court and she has produced the passbook of her savings bank account No.384602010947871 with Union Bank of India, Kasganj Branch, Uttar Pradesh (IFSC Code: UBIN0538469) as well as the letter dated 21st November, 2017 issued by Union Bank of India to the effect that the cheque book of the said bank account has been cancelled by them. Vide order dated 06th November, 2017, Union Bank of India was also directed not to issue any debit card and if the same has already been issued, the Union Bank of India was directed to cancel the same and make the endorsement. The letter dated 21st November, 2017 does not contain any reference to the debit card. Union Bank of India is directed to issue a certificate with respect to the cancellation/non-issuance of the debit card and bank is directed to send the same to the Registrar General of this Court within two weeks. However, Union Bank of India, Kasganj Branch, Uttar Pradesh shall permit respondent No.1, Manju to withdraw money from her savings bank account by means of a withdrawal form.

5. Respondent No.1 present in Court submits that her children namely respondent No.2 and 3 are aged 10 and 13 years respectively. The date of

birth of respondents No.2 and 3 are as under:-

(i) Respondent No.2 - date of birth 05th June, 2004.

(ii) Respondent No.3 - date of birth 01st January, 2007.

6. Respondent No.1 submits that Rohit is a nick name of Manvi, respondent No.3. The name of respondent No.3 is corrected as Rohit@Manvi. The amended memo of parties be filed by respondent No.1 within one week.

7. UCO Bank, Delhi High Court Branch is directed to disburse the amount of Rs.11,15,571/- to respondents No.1 to 3 in the following manner:-

(i) Rs.8,40,000/- be kept in 120 FDRs of Rs.7,000/- each in the name of respondent no.1, Manju for the period 1 month to 120 months with cumulative interest.

(ii) Rs.1,00,000/- be kept in FDR in the name of respondent No.2, Ankit till he attains majority on 5th June, 2022 with cumulative interest. Upon attaining majority, UCO Bank, Delhi High Court Branch shall transfer the interest amount in the savings bank account of respondent No.2 and the principal amount of Rs.1,00,000/- be kept in 20 FDRs of Rs.5,000/- each in the name of respondent No.2, Ankit for the period 1 month to 20 months with cumulative interest.

(iii) Rs.1,00,000/- be kept in FDR in the name of respondent No.3, Rohit@Manvi till she attains majority on 1st June, 2025 with cumulative interest. Upon attaining majority, UCO Bank, Delhi High Court Branch shall transfer the interest amount in the savings bank account of respondent No.3 and the principal amount of Rs.1,00,000/- be kept in 20 FDRs of Rs.5,000/- each in the name of respondent No.3, Rohit@Manvi for the period 1 month to 20 months with cumulative interest.

(iv) The balance amount, after keeping Rs.10,40,000/-, be released to respondent No.1 by transferring the same to her savings bank account mentioned in para 4 above.

8. All the original FDRs shall remain with UCO Bank, Delhi High Court Branch. However, the statement containing FDR number, amount, date of maturity and maturity amount shall be furnished by UCO Bank to the respondents.

9. Upon maturity, the maturity amounts of the FDRs shall be released to the beneficiaries in their individual savings bank accounts.

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

11. Learned counsel for the appellant submits that the appellant had agreed to pay Rs.4,00,000/- to respondent No.4 out of which Rs.1,00,000/- has been paid to the respondent No.4 and Rs.1,00,000/- shall be transferred in the savings bank account of respondent No.4 within three days and the balance amount shall be paid within the time granted by this Court.

12. Learned counsel for respondent No.1 submits that there is a short deposit by respondent No.4. As per the Accounts Officer of this Court, there is a short deposit of Rs.23,177.74. Respondent No.4 is directed to deposit the short deposit with UCO Bank, Delhi High Court Branch within two weeks. Upon the deposit being made, UCO Bank, Delhi High Court Branch is directed to release Rs.23,177.74 to respondent No.1 by transferring the same to her aforesaid savings bank account mentioned in para 4 above.

13. List for reporting compliance on 22nd December, 2017.

14. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

NOVEMBER 28, 2017
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