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

+ LPA 426/2018

NATIONAL INSURANCE COMPANY LIMITED Appellant
Through : Mr. Manoj Ranjan Sinha, Advocate.

versus

RAJ KUMAR RUSTAGI & ORS Respondents
Through : Mr. D.P. Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **08.10.2018**

CM 38347/2018 (Modification)

Notice could not be issued as the Process Fee was not filed, however, learned counsel for the respondent enters appearance.

This is an application seeking modification of the order of 28th August, 2018.

Learned counsel submits that the order 28th August, 2018 is not clear with regard to the amount which is to be recovered from the respondent.

Learned counsel for the respondent submits that no clarification is required as only 50% of the amount of the gratuity is being released in favour of the respondent and the balance amount is to be remain deposited with the Registrar General of this court in a fixed deposit.

Having regard to the order of 28th August, 2018, where, this court has directed release of only 50% of the amount in favour of the respondent, we are of the view that no modification or clarification is required. The amount of 50% deposited with the Registrar General of this court will also include the amount

which is recoverable from the respondent, if any, and the interest of the appellant is duly safeguarded.

At request, time is extended by another two weeks to make the deposit.

With these observation, this CM Application is disposed of.

Dasti.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

OCTOBER 08, 2018

j/