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IN THE HIGH COURT OF DELHI AT NEW DELHI
EX.P. 183/2015

INDO SOVIET MEDICAL EDUCATION CARE AND
RESEARCH FOUNDATION

..... Decree Holder

Through Mr. Raj Kumar, Advocate alongwith
Mr. Dharmender Kaushik, Assistant
Clerk of decree holder foundation

versus

ANJU JAIN & ORS

..... Judgement Debtor

Through None

CORAM:

SH. DINESH KUMAR SHARMA, REGISTRAR GENERAL

ORDER

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27.05.2019

Vide order dated 07.05.2019, the Hon'ble Court has inter alia directed as under:-

“The present application has been filed seeking release of the amount deposited by the Judgment Debtor before this Court. Suit no.2105/1994 was decreed vide judgment/decreed dated 6th December, 2010. The Plaintiff was awarded a sum of Rs.14 lakhs. The said judgment was carried in appeal and was disposed of vide judgment/decreed dated 24th December, 2014 along with interest @ 10% per annum. The Judgment Debtors had filed a SLP before the Supreme Court. The Supreme Court had directed on 6th May, 2016 that the Judgment Debtors would deposit 6% interest instead of 10% to be paid by the Supreme Court. The said SLP was dismissed vide order dated 15th February, 2019 by the Supreme Court. The said order has been placed on record. The report by the Registry is that the Judgment Debtors have deposited a sum of Rs.14 lakhs on 20th July, 2012 and thereafter a sum of Rs.13,44,000/- on 31st May, 2016. Both deposits have been made in RFA(OS) 68/2011.

2. In view of the fact that the Supreme Court has dismissed the SLP, the said amounts which stand deposited in RFA(OS)68/2011 be released to the Decree Holder subject to any deduction on the interest component. I.A. is disposed of.

3. Let the matter be listed before the Registrar General for handing over of the Demand Draft in favour of the Decree Holder. An authorised representative of the Decree Holder along with the counsel shall be present. The authorised representative shall also produce a Board Resolution passed in his favour.”

As per office report, a Pay Order bearing No.721961 dated 27.05.2019 for Rs. 38,92,706/- issued by UCO Bank, Delhi High Court Branch, New Delhi in favour of M/s Indo Soviet Medical Education Care & Research Foundation has been prepared in RFA(OS) 68/2011 in compliance of order dated 07.05.2019 passed by the Hon’ble Court.

Mr. Dharmender Kaushik, Assistant Clerk/authorised representative of the decree holder/Indo Soviet Medical Education Care and Research Foundation has brought Board Resolution dated 14.05.2019 issued by Mr. Manoj Kumar, Hony. Secretary, Indo Soviet Medical Education Care & Research Foundation by virtue of which he has been authorised to receive the pay order/demand draft on behalf of the decree holder in terms of order dated 07.05.2019 passed by the Hon’ble Court.

In compliance of order dated 07.05.2019 passed by the Hon’ble Court, the Pay Order bearing No.721961 dated 27.05.2019 for Rs. 38,92,706/- issued by UCO Bank, Delhi High Court Branch, New Delhi in favour of M/s Indo Soviet Medical Education Care & Research Foundation has been handed over to the Mr. Dharmender Kaushik, Assistant Clerk of the decree holder.

Statement of Mr. Dharmender Kaushik, Assistant Clerk/authorised representative of the decree holder has been recorded separately and the same has duly been identified by his counsel.

DINESH KUMAR SHARMA
REGISTRAR GENERAL

MAY 27, 2019

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