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

+ RFA 84/2018

DR MANAV RAKSHAK & ANR

..... Appellants

Through: Ms. Mala Goel, Adv.

versus

M/S CIVCON ENGINEERING & CONTRACTING CO(INDIA)  
PVT LTD & ORS

..... Respondents

Through: Ms. Samia Malik, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**

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**20.05.2019**

**CM No. 16690/2019**

Pursuant to the order dated April 24, 2019 Mr. Vikram Kumar the partner of the respondent No.3 and Director of respondent No.1 has filed an undertaking on the following terms:

*“I Vikram Kumar, S/O Late Sh. Tilak Raj, Partner of M/s Dewan Chand and the deponent herein undertakes to pay the sum of Rs.10,00,000/- lying in the High Court Registry along with the interest as and when released from the High Court Registry to the appellant.”*

Ms. Mala Goel, learned counsel appearing for the appellants states that she is satisfied with the undertaking given by Mr. Vikram Kumar. She

further states, the said undertaking must be read to mean that he would pay the sum of Rs.10,00,000/- with accrued interest, which is lying deposited in the High Court, on its release in his favour, to the appellants herein. She also states that the appellants shall accept the amount of Rs.10,00,000/- with accrued interest without prejudice to the rights and contentions of the appellants before the executing Court. Ordered accordingly.

The undertaking is taken on record. It is directed that the appellants shall accept the amount of Rs.10,00,000/- with accrued interest without prejudice to their rights and contentions before the executing Court.

The application is disposed of.

**CM No. 50472/2018**

This is an application filed by the Vikram Kumar with the following prayers:

*“In view of the above facts and circumstances, it is earnest prayed as under:*

- a. To release the FDR for an amount of Rs.10,00,000/- (Rupees Ten Lacs Only) with interest lying with Hon’ble High Court in favour of the respondent for making payment to the appellant.*
- b. Pass such further order / order(s) or directions as the Court deems fit and proper.”*

Ms. Mala Goel has no objection if the amount is released to the respondent No.2, Shri Vikram Kumar subject to he abiding by the orders passed by this Court in CM 16690/2019 which has been disposed of in terms of the directions as above. Registry shall release the amount to the respondent No.2 within two weeks of the respondent No.2 complying with all the formalities as per Rules.

The respondent No.2 shall pay the amount so released in his favour by the Registry of this Court along with interest accrued thereon, to the appellants herein within one week of receipt of said amount in terms of his undertaking and directions passed in CM 16690/2019.

List before Joint Registrar for ensuring compliance of this order on July 03, 2019.

*Dasti.*

**V. KAMESWAR RAO, J**

**MAY 20, 2019/aky**