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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 827/2006

ORIENTAL INSURANCE CO. LTD.

..... Appellant

Through : Mr.Anant Narain Mehrotra, Advocate

versus

NAVEEN GOYAL

..... Respondent

Through : Mr.B.K.Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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26.09.2019

CM APPL No. 18504/25019

This application has been moved by the respondent for release of the bank guarantee. This appeal was filed challenging the judgment dated 06.09.2006 passed in Civil Suit No.493/2004 whereby the learned Trial Court had passed the money decree to the tune of Rs.8,79,184/- against the appellant with costs.

In this appeal, the appellant was directed to deposit an amount of Rs.9,95,949.75 which was released to the respondent subject to the bank guarantee dated 15.12.2007 for this sum, issued by the Punjab National Bank, South Extension branch, New Delhi.

The appeal has since been disposed of being partially allowed and the suit of the respondent has been decreed for a sum of Rs.6,27,745/- with simple interest @ 9% per annum from 07.05.2004 till the date of filing of suit and thereafter with *pendentelite* and future

interest @ 6% per annum till date of realisation. The costs of Rs.11264/- was also allowed. If calculated at the given rate of interest the decretal amount as on today shall be less than the amount of bank guarantee on record.

It is admitted by both the sides, no appeal against the judgment dated 07.12.2018 of this Court has since been filed.

In the circumstances, the abovesaid bank guarantee furnished by the respondent stands released. The application stands disposed of. Order *dasti*.

YOGESH KHANNA, J.

SEPTEMBER 26, 2019

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