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

+ **W.P.(C) 13475/2019**

KIRAN KAUR AND ANR.

..... Petitioners

Through: Mr. Deepak Anand with Ms. Hemlata
Rawat, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Through: Ms. Shahana Farah with
Mr. Mohammad Yunus, Advocates
for respondent no. 1/DDA.
Mr. Sumeet Prakash, Advocate for
respondent no. 2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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26.02.2020

1. Ms. Shahana Farah, who, appears for the respondent no. 1/DDA says that pursuant to the last order passed by this Court on 20.12.2019, she has obtained instructions.
2. According to Ms. Shahana Farah, the excess amount available with the DDA is Rs. 39,82,000/-.
3. As noticed on the previous date, there was a possibility of one Mr. Vikas Shokeen claiming a right in the excess amount available with the DDA.
4. Accordingly, Mr. Vikas Shokeen was arrayed as a party to the present proceedings and notice was issued to him.

5. Today, Mr. Sumeet Prakash, Advocate has entered appearance on behalf of Mr. Vikas Shokeen.

6. Mr. Sumeet Prakash says that Mr. Vikas Shokeen will have no objection to the aforementioned excess amount being released by the DDA to the petitioners.

7. Given the aforesaid submissions advanced by counsel for parties, DDA is directed to remit Rs. 39,82,000/- to the petitioners in the following manner.

(i) Fifty percent (50%) of the amount will be released in favour of petitioner no. 1 while the balance amount will be released in favour of petitioner no. 2.

(ii) Payments will be made via bank drafts.

8. Insofar as the claim for interest is concerned, the petitioners will be at liberty to take recourse to an appropriate remedy, *albeit*, as per law. If any such action is filed, DDA will be free to take recourse to every possible defence available to it in law and/or on facts.

9. The writ petition, as prayed, is accordingly, closed.

10. DDA will ensure that the money is remitted to the petitioners as directed above within three weeks from the date of receipt of a copy of the order.

11. Renotify the matter for compliance on 21.04.2020.

12. I am informed by Mr. Sumeet Prakash that he filed his vakalatnama with the Registry of this Court on 26.02.2020 vide diary no. 295491/2020. A copy of the same has been handed over in the Court.

13. For the purposes of good order and record, the Registry is directed to scan and upload the same.

RAJIV SHAKDHER, J

FEBRUARY 26, 2020

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