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

+ **FAO(OS) 1/2023, CM APPL. 527/2023 & CM APPL. 19663/2023**

DEVENDER KUMAR AGGARWAL & ORS. Appellants

Through: Mr. Mohit Chaudhary with Mr. Kunal Sachdeva, Mr. Ashish Arya and Mr. Raghav Dikshit, Advocates.

versus

MANJU AGGARWAL & ORS. Respondents

Through: Mr. Preet Pal Singh with Mr. Saurabh Sharma and Ms. Tanupreet Kaur, Advocates for R-1 with R-1 in person.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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25.04.2024

1. After some arguments, learned counsel for the Appellants prays that the present matter be also disposed of in accordance with the order passed today in FAO(OS) 151/2022. He further states that as the Appellants have deposited a sum of Rs. 25 lakhs only with the Registry till date, the Appellants shall pay a further sum of Rs. 25 lakhs to Respondent No. 1 within eight weeks. He assures and undertakes to this Court that in the event the additional amount of Rs. 25 lakhs is not paid to Respondent No. 1 within the stipulated time, the Appellants would have no objection to a decree of recovery being passed by the learned Single Judge against them in the underlying suit.



2. The statements and undertakings given by the learned counsel for the Appellants are accepted by this Court and the Appellants are held bound by the same.
3. It is also directed that Respondent No. 1-sister shall be entitled to withdraw a sum of Rs. 25 lakhs along with accrued interest from the Registry of this Court subject to her furnishing a personal bond. The respondent No.1-sister is at liberty to file an appropriate application for release of money before the Joint Registrar (Judicial).
4. The time for filing the written statement by the Appellants is extended by four weeks. However, it is clarified that in the event the further sum of Rs. 25 lakhs is not paid by the Appellants to Respondent No. 1 within the time stipulated, the written statement, if any, filed by the Appellant shall be taken off the record and the suit decreed against the Appellants.
5. The impugned order is varied to the aforesaid extent. Accordingly, the present appeal along with pending applications stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

APRIL 25, 2024/msh