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

+ RFA 57/2016 (*disposed of*)
BALWANT SINGH

.....Appellant

Through: None.

versus

RAMESH KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.10.2024

1. This appeal was dismissed for non prosecution on 09.09.2024, with the additional direction that the amount deposited by the appellant be released in favour of the respondent without surety, and that the respondent would be at liberty to take execution proceedings if the decree was not fully satisfied.

2. The Registry has listed the appeal again on an Office Note, to bring to the notice of the Court that the amount of Rs. 7,32,000/-, deposited pursuant to the interim order, has already been released to the respondent on furnishing security. The Registry also seeks orders for the release of the interest amount accrued upon the amount deposited, which was kept in a fixed deposit.

3. During the pendency of the appeal, the appellant was directed to deposit the decretal amount as a condition for stay of the execution, by order dated 02.02.2016. The amount was released to the respondent under

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an order dated 27.04.2016, subject to surety.

4. In view of the above, the only direction required is with regard to the amount of accrued interest lying with the Registry. As the appeal has been dismissed by order dated 09.09.2024, the amounts lying in the Registry in connection with this appeal, including the interest accrued on the deposited amount, may be released to the respondent.

5. The Office Note is disposed of with these directions.

PRATEEK JALAN, J

OCTOBER 22, 2024
SS/