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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP (ENF.) (COMM.) 188/2023**
M/S ROSHAN REAL ESTATES PVT LTD

..... Decree Holder

Through: Ms. Anusuya Salwan, Mr. Rachit
Wadhwa, Ms. Simran Sakunia, Mr. Bankim Garg,
Advs.
versus

UNION OF INDIA

..... Judgement Debtor

Through: Mr. Niraj Kumar, CGC

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
15.01.2024

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**EX.APPL.(OS) 75/2024-FOR RELEASE OF AMOUNT DEPOSITED
BY JUDGMENT-DEBTOR**

1. This is an application seeking release of the amount lying deposited in this Court to the tune of Rs. 8,07,38,367/-.
2. It is stated by Ms. Salwan, learned counsel for the decree-holder that the judgment-debtor filed a petition under Section 34 of the Arbitration and Conciliation Act, 1996 which was dismissed on 02.08.2023 and thereafter no appeal has been filed challenging the said judgment. Hence, there are no fetters in releasing the amount in favour of the decree-holder.
3. Issue notice. Mr. Niraj Kumar, learned counsel accepts notice on behalf of the judgment-debtor and has no objection to the application being allowed.
4. For the said reasons, the present application is allowed and the amount lying deposited in this Court pursuant to the order dated 25.09.2023



along with accrued interest is directed to be released in favour of the decree holder either through authorised representative or through counsel.

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5. In view of the order passed today, Ms. Salwan, learned counsel for the decree-holder does not press the instant execution petition. Hence, the same is disposed of as having been satisfied.
6. In case there are further amounts pending on account of any calculations, the decree-holder is at liberty to file a fresh application seeking revival of the execution petition.
7. The earlier date of 18.01.2024 stands cancelled.

JASMEET SINGH, J

JANUARY 15, 2024 / (MS)

Click here to check corrigendum, if any