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

+ RFA 220/2017 (*Disposed off case*)

GURPREET SINGH & ORS

.....Appellants

Through: Mr. Rajinder Singh & Mr. Arjun
Sharma, Advocates. [M:-
9818489589]

versus

SUNIL DUTT & ANR

.....Respondents

Through: Ms. Richa Kapoor, Mr. Kunal
Anand, Mr. Sandesh Kumar, Mr.
Rohit Malik & Ms. Udipti Chopra,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **23.12.2024**

CM APPL. 75563/2024(*Application on behalf of the respondent No. 1
seeking release of the interest/balance amount deposited by the
appellant*)

1. The respondent No. 1 has filed this application in a disposed of appeal, for release of the interest/balance amount deposited by the appellants lying with the Registrar General of this Court, in favour of the respondents.

2. The captioned appeal was directed against a judgment and decree dated 29.11.2016, by which possession of the immovable property [J-17, Ali Ganj, New Delhi], and damages/*mesne* profits was decreed in favour of the original plaintiffs, being respondent No. 1 herein and her husband Shri. Sunil Dutt, since deceased.

3. By orders dated 05.05.2017 and 24.08.2017, the operation of the



impugned judgment was stayed, subject to the appellants depositing the decretal amount and continuing to deposit *mesne* profits at rate of ₹10,000/- by 10th of each month. By a further order dated 14.12.2023, the amount of *mesne* profits being deposited was enhanced to ₹15,000/-, to be paid directly to the respondents. The respondents were also given liberty to withdraw the amount lying with the Registrar General of this Court.

4. The appeal was ultimately dismissed by a judgment of this Court dated 16.12.2024.

5. The respondents therefore seek release of the balance amount lying in the Registry of this Court, whether by way of interest or otherwise, to them.

6. Mr. Arjun Sharma, learned counsel for the appellants, submits, upon instructions, that having regard to the fact that the appeal has been dismissed, the appellants have no objection to the relief sought in this application.

7. The application is therefore allowed, and the Registry is directed to release any amount lying to the credit of this appeal in favour of the respondents. Although the application seeks release of the amount in favour of respondent No. 1 alone, Ms. Richa Kapoor, learned counsel for respondent No. 1, does not press this aspect of the relief sought.

8. The application is disposed of in the aforesaid terms.

PRATEEK JALAN, J

DECEMBER 23, 2024/‘pv/AD’/