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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 673/2018**
FUTURE GENERALI INDIA INSURANCE CO LTD

.....Appellant

Through:

versus

RAM SAKHEE & ORS (MAHAGUN REAL ESTATE PVT LTD)

.....Respondent

Through: Mr. Jatinder Kamra, Advocate for R1
to R5.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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16.04.2025

CM APPL. 20387/2025 (under Section 151 CPC on behalf of the Claimants/Respondents No.1 to 5 seeking Clarification of Order dated 12.12.2024)

1. An Application has been filed on behalf of Respondents for clarification of the Order dated 12.12.2024.
2. It is submitted that in MAC App.673/2018 while disposing of CM APPL.72944/2024, the compensation amount has been modified and has been reduced from Rs.39,76,630/- to Rs.37,42,544/- along with interest @ 9% per annum. The said amount has been deposited by the Insurance Company with the Registrar General on 10.08.2018.
3. However, while disposing of the Appeal vide Order dated 12.12.2024 it has been directed that the interest @ 9% per annum be paid till the date of realization. However, there is a discrepancy in the date up to which 9% interest is payable, which may be clarified.



4. It is also submitted that since the entire amount along with interest was deposited before the Registrar General on 10.08.2018, the liability of the Insurance Company to pay the interest came to an end and the Claimants are entitled to the interest which may have been generated on the FDRs that were made of the deposited amount.

5. It is further submitted that there is confusion about the amount of interest and the amount which is to be refunded to the Insurance Company and a clarification is sought.

6. **Submissions heard.**

7. As per the Insurance Company, the enhanced compensation amount of Rs.39,76,630/- along with interest @ 9% per annum already stands deposited with the Registrar General. The compensation awarded by the Tribunal has been reduced by Rs.2,34,086/- by this Court vide Order dated 12.12.2024.

8. In these circumstances it is evident that the amount of Rs.37,42,544/- along with interest @ 9% per annum from the date of institution of Petition till the date of deposit before the Registrar General along with the interest which may have accrued on the FDRs so created of the deposited amount, is to be released to the Complainant, while whatever is the balance is to be refunded to the Insurance Company.

9. With these observations, the Application stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 16, 2025/va