

**CMP No. 9553 of 2018 in RFA No.
10 of 2012**

30.11.2018 Present: Mr.Jyotramay Bhatt, Advocate, vice Mr.T.S. Chauhan, Advocate, for the appellant/non-applicant.

Mr.Ishan Sharma and Mr.Mayank Sharma, Advocates, for applicant/respondent No. 1.

Mr.Shiv Pal Manhans, Additional Advocate General, with Mr.R.P. Singh and Mr.Raju Ram Rahi, Deputy Advocate General, for respondent No. 3.

Learned vice counsel appearing for appellant/non-applicant, under instructions of original counsel , Mr.T.S. Chauhan, Advocate, submits that no reply is intended to be filed on behalf of non-applicant/appellant, rather there is no objection for release of amount, as prayed for in the application.

The main appeal stands dismissed by this High Court on 6.7.2018. It is submitted in the application that 50% amount of share of respondent No. 1 was released vide order dated 7.5.2013 passed in CMP No. 679 of 2013 and remaining 50% amount of his share along with full share of respondent No. 2 is lying deposited in the Registry of this Court. It is further stated that respondent No. 2 was mother of respondent No. 1 and after her death, her name was deleted from the array of parties vide order dated 18.10.2012 passed in CMP(M) Nos. 1010 and 1011 of

2012, as her only legal heir was on record as respondent No. 1/applicant.

As per submission of learned counsel for the applicant/respondent No. 1, there is no other claimant in present case. In the aforesaid circumstances, amount falling in the share of applicant/respondent No. 1, i.e. 50% of his own share and entire share of deceased respondent No. 2, is directed to be released along with up to date interest in his favour by remitting the same in his bank account, mentioned in prayer clause of the application, as per his entitlement in terms of award. The application stands disposed of.

***(Vivek Singh Thakur),
Judge.***

30th November, 2018
(KRS)