

CMP No. 4629 of 2019 in FAO No. 67 of 2003

31.5.2019

Present: Mr. Jeevan Kumar, Advocate, for the non-applicant/appellant.
Mr. Rajesh Verma, Advocate, for the applicant/respondent.

By way of instant application filed under Section 151 CPC, prayer has been made on behalf of the applicant, for release of the award amount falling in his share lying deposited in the Registry of this court. Learned counsel representing the non-applicant/appellant states that he does not intend to file any reply to the application and has no objection in case prayer made in the application is accepted.

Averments contained in the application, which is duly supported by an affidavit, clearly suggest that appeal bearing FAO No. 67 of 2003 having been filed by the non-applicant/appellant, laying therein challenge to award passed by the learned MACT, Sirmaur, has been dismissed and no appeal, whatsoever, has been filed against the judgment dated 29.2.2012, passed by this Court and as such, this court sees no impediment in accepting the prayer having been made by the applicant for release of award amount lying deposited in the Registry of this Court.

Consequently, in view of the above, the application is allowed and Registry is directed to release the award amount in favour of the applicant as per his share, by remitting the same in his saving bank account, detail whereof is mentioned in para-6 of the application, subject to verification by the Accounts Branch. Application stands disposed of.

31st May, 2019
manjit

**(Sandeep Sharma),
Judge**