

CMP No. 15668 and 15670 of 2019 in RFA No. 105 2012

31.12.2019

Present: Mr. Neeraj Gupta, Senior Advocate with Mr. Ajeet Jaswal, Advocate, for the non-applicants/appellants.
Mr. Lovneesh Thakur, Advocate vice counsel, for the applicant/respondents.

By way of instant applications filed under Section 151 CPC, prayer has been made on behalf of the applicants namely Ajmero Devi and Hukam Singh, for release of the award amount lying deposited in the Registry of this court. Learned counsel representing the non-applicants/appellants states that he does not intend to file any reply to the applications and has no objection in case prayer made in the applications is accepted.

Averments contained in the applications, which are duly supported by affidavits, clearly reveal that appeal bearing RFA No. 105 of 2012 having been filed by the non-applicants/appellants, laying therein challenge to common award dated 15.11.2011, passed by the learned District Judge, Sirmaur District at Nahan, H.P., stands partly allowed vide judgment dated 28.9.2018, passed by this Court in bunch of RFAs including the present RFA No. 105 of 2012 and no appeal, whatsoever, has been filed against the aforesaid judgment passed by this Court in the superior court of law and as such, same has attained finality.

Consequently, in view of the above, this court sees no impediment in accepting the prayer having been made by the applicants for release of award amount lying deposited in the Registry of this Court and as such, applications are allowed and Registry is directed to release the award amount in favour of the applicants strictly as per their shares in terms of judgment dated 28.9.2018, by remitting the same in their saving bank accounts, detail whereof is mentioned in prayer clause of the applications, subject to verification by the Accounts Branch. Applications stand disposed of.

31st December, 2019
manjit

(Sandeep Sharma),
Judge