

M/s Nazveedue Seeds Ltd. vs. Inder Bhagat & Ors.

CMP No.26156 of 2024 in RFA No.367 of 2017

CMP No.26156 of 2024

The present application under Section 151 of the Code of Civil Procedure, has been maintained by applicant/respondent No.1, Inder Bhagat, for release of award amount alongwith up-to-date interest in his favour, as per his share, as lying deposited in the Registry of this Court.

As per the applicant, the main appeal bearing RFA No.367 of 2017 stands decided by this Court vide judgment dated 11.10.2023, whereby the amount of compensation has been enhanced in his favour. It has further been averred that since the non-applicant/appellant has already deposited the entire amount as awarded by learned District Judge, Kinnaur as well as by this Court and also he is in dire need of money to meet out his day to day expenses as the land of the applicant, which was acquired by the appellant, was valuable one and was only source of his income, as such,

the present application may be allowed and the amount, as prayed for, be released in his favour, as per his share.

Learned vice counsel for the non-applicant/appellant has submitted that since the main appeal bearing RFA No.367 of 2017 stands decided by this Court vide judgment dated 11.10.2023 and the award has attained finality, as such, he has no objection in case the amount, as prayed by aforesaid applicant/respondent No.1, be released in his favour.

Heard. Having regard to the averments made in the application as well as taking into consideration the fact that the appeal bearing RFA No.367 of 2017 stands decided by this Court vide judgment dated 11.10.2023; and since no appeal whatsoever has been filed by either of the parties in the superior court of law against the aforesaid judgment, the same has attained finality, as such, the present application is allowed and the awarded amount of compensation alongwith up-to-date interest, which is lying deposited in the registry of this Court, is ordered to be released in favour of the applicant/respondent No.1, Inder Bhagat, by remitting the same in his saving bank account, after due verification, detail whereof has been given in prayer clause of the application.

The application stands disposed of.

**(Sushil Kukreja)
Judge**

December 31, 2024
(reena)