

**HIGH COURT OF DELHI AT NEW DELHI**

No.145/Rules/DHC/2025

Dated 01.08.2025

**PRACTICE DIRECTIONS**

In compliance of the directions passed by the Hon'ble Court vide order dated 07.07.2025 in RFA(OS)20/2020 titled "*Atul Kumra Vs. Oxbridge Associates Ltd.*", the following practice directions are hereby issued for compliance by all concerned, in respect of the judicial matters where the amount deposited in this Court is directed to be released to the entities/individuals located out of India :-

*"The depositor of the amount in the judicial matter, where the amount has been directed to be remitted to an individual/entity located out of India, shall file an undertaking/declaration under the FEMA, 1999 stating that the transfer of money does not, in any manner, contravene any of the provisions of the FEMA or Rules in the prescribed form (i.e. Undertaking/declaration, copy enclosed as Annexure A) enclosing therewith necessary copies of the Board Resolution authorizing the signatory of the declaration along with the KYC of the firm/company, PAN Card & Aadhar Card of the signatory (in case of the company/firm) or PAN Card & Aadhar Card of the person (in case of an individual). The declaration in the prescribed form shall be duly signed and stamped."*

The copy of the above-mentioned order is also attached herewith (as Annexure B) for reference.

**These Practice Directions shall come into force with immediate effect.**

**By Order**

Sd/-  
**(ARUN BHARDWAJ)**  
**REGISTRAR GENERAL**

**Declaration:**

I/We hereby declare that the transaction, the details, of which are specifically mentioned in the application above, does not involve and is not designed for the purpose of any contravention of evasion of the provision U/S 10(5) chapter III FEMA 1999 or any rule, regulation, notification, direction or order made hereunder. I/We also hereby agree and undertake to give such information/documents as will reasonably satisfy you about this transaction in terms of above declaration. I/We also understand that if, I/We refuse to comply with any such requirement or make only unsatisfactory compliance there with, the bank shall refuse in writing to undertake the transaction and shall if, it has reason to believe that any contravention/evasion is contemplated by me/us, report the matter to Reserve Bank of India. I/We further declare that the undersigned has/have the authority to give this declaration and undertaking on behalf of the firm/company. I hereby declare that the above details are true and that this remittance alongwith my previous remittance does not exceed the limitation, under the category, allowed as per RBI regulation.

**Signature of Depositor:**

**Encl.**

**Purpose Code:**

**Purpose:**



\$~86

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **RFA(OS) 20/2020**

**ATUL KUMRA**

.....Appellant

Through: Mr. Barun Dey, Adv.

versus

**OXBRIDGE ASSOCIATES LTD**

.....Respondent

Through: Mr. Sumeet Lall and Mr.  
Sidhant Kapoor, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN**

**SHANKAR**

**ORDER**

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**07.07.2025**

1. This matter has been placed on Office Note dated 04.07.2025.
2. It is stated by the Registry in the Office Note that a Demand Draft cannot be made for the reasons as under:

“ **RFA (OS) 20/2020**

Reference Order dated 26.03.2025 (**Part'A', Pg.no.49-50**), the Hon'ble Division Bench of this Court had ordered as under:

“xxx

xxx

xxx

***5. The Registrar General is directed to release the decretal amount lying in the form of FDR along with full interest, by way of a Demand Draft in the Applicant's name.***

xxx

xxx

xxx

In compliance of the afore mentioned order, case file along with one original FDR bearing No. 155303116022828 dated 14.11.2023 for a sum of Rs. 1,43,26,355.00/- was forwarded to Cash-II Branch for further necessary action at their end.

Now, the case file along with original FDR, is received back from cash branch, with a direction (**Part'B', pg 24**) to solicit fresh orders from the Hon'ble Court for online transfer of amount in the



bank account of the Respondent.

Kind attention in this regards is invited towards office note dated 23.05.2025(Part”B’,Pg22), in which the Worthy Registrar General of this Court has noted as under;

“xxx xxx xxx.”  
*Initially, online transfer to UK was permitted vide order of Registrar General dated 15.04.2025. However, considering the directions of Hon’ble Court dated 26.03.2025, fresh orders are required from Hon’ble Court for online transfer of money alongwith Form 2A certifying that it does not contravene FEMA, 1999.*

xxx xxx xxx”

In view of the above, if approved, the case file may be sent to Listing Branch, in order to list the matter before the Hon’ble Court on 03-07-2025.”

3. Accordingly, the Order dated 26.03.2025 is modified to the extent that instead of a Demand Draft, the amount be transferred through online/bank transfer.
4. The Appellant is directed to file Form 2A under the Foreign Exchange Management Act, 1999 [“FEMA”] declaring/undertaking that the transfer of money does not, in any manner, contravene any of the provisions of the FEMA Act or Rules enclosing therewith PAN card and Aadhaar of the Appellant. The declaration in the prescribed form shall be duly signed.
5. Let the necessary steps be taken within a week from today.

**SUBRAMONIUM PRASAD, J.**

**HARISH VAIDYANATHAN SHANKAR, J.**  
**JULY 07, 2025/nd/va**