

% 26.09.2008

Present: Mr. Lalit Gupta for the appellants
Mr. R.S. Mahla for the respondent with respondent in person

+CM No. 14119/08 & RSA 96/2007

This application has been moved by the parties jointly under Order 23 Rule 3 read with Section 151 CPC. It is claimed that the parties have entered into a compromise and pray that the appeal be disposed of in terms of this compromise. The decree holder Mr. K.B.K. Sahni in whose favour the impugned judgment of the Appellate Court has been awarded is also present in Court. Let his statement be recorded.

Statement of Mr. K.B.K. Sahni, the respondent in this matter, has been recorded on oath. The statement of counsel for the appellants, Mr. Lalit Gupta has also been recorded without oath. The parties have settled all their disputes inter-se, and a joint application under Order 23 Rule 3 read with Section 151 CPC has also been filed.

The parties shall be bound by their statements and the terms of their application under Order 23 Rule 3 CPC.

The amount deposited by the appellants in this Court in terms of this Court's orders passed on 30.3.2007 along with interest, if any, accrued thereon be released to the respondent on proper identification as per rules.

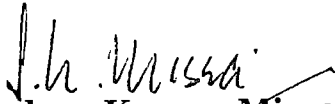
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Certify that the digital and physical file have been compared and the digital data is as per the physical file and no page is missing.

The appeal and the application are disposed of in the above terms. A copy of CM No.14119/2008 shall be annexed to this order.

Dasti to both the parties.

September 26, 2008
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Sudershan Kumar Misra, J.