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

+ MAC.APP. 266/2008

BALJEET SINGH & ORS Appellants
Through : Mr. Sanjiv Mehta, Adv.

versus

SUNITA DEVI Respondent
Through : Mr. S.S. Sisodia, Adv.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
01.09.2009

1. All the three appellants are present in Court along with their counsel Mr. Sanjiv Mehta.
2. The appellants have filed an application for cancellation of non-bailable warrants. The application is taken on record and the non-bailable warrants are cancelled.
3. The appellants have also filed their correct addresses and the list of assets which are taken on record.
4. Respondent No.1 is present in Court along with her counsel.
5. Both the parties have shown their willingness to settle this case.

6. Mr. L.K. Tyagi, Advocate on the request of this Court, has mediated between the parties and the parties have settled the matter. The terms of the settlement are as under:-

- (i) The appellants shall pay a sum of Rs.3,80,000/- to the respondents in full and final settlement of the award. This amount is exclusive of the interim award amount already paid by the appellants to the respondents.
- (ii) The appellant shall pay a sum of Rs.1,00,000/- within two weeks and the remaining amount of Rs.2,80,000/- in 28 monthly installments of Rs.10,000/- each, all drawn in the name of respondent No.1.
- (iii) The appellant shall hand over one cheque for Rs.1,00,000/- and 28 post dated cheques for Rs.10,000/- to respondent No.1 in the Court.
- (iv) Upon receipt of the aforesaid cheques, respondent No.1 shall handover all the 29 cheques to Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) for being deposited in the Saving Bank Account of respondent No.1 with UCO Bank

Delhi High Court Branch.

- (v) Mr. M.M. Tandon shall ensure that the said cheques are duly deposited on their due dates.
- (vi) In the event of any two consecutive dishonour of the cheques, the appellant shall be liable to pay the entire award amount in terms of the award of the learned Tribunal and this settlement for Rs.3,80,000/- shall not be enforceable and in that event, the claimant shall be at liberty to execute the award of the learned Tribunal.

7. The appellants give an undertaking to this Court that 29 cheques in terms of the settlement shall be handed over to respondent No.1 before this Court on the next date of hearing and that they shall maintain sufficient balance in their accounts before the due dates of the cheques and further that all the cheques shall be honoured upon presentation.

8. The UCO Bank is directed to send their representative in Court on the next date of hearing to collect the cheques and to complete all the formalities for opening of the Saving Bank Account of the respondents.

9. The UCO Bank is directed to put Rs.50,000/- in fixed deposit in the name of respondent No.1 for a period of five

years and the remaining amount of Rs.50,000/- be left in the Saving Bank Account of respondent No.1 to be utilized by her.

10. With respect to 28 cheques of Rs.10,000/- each, the UCO Bank is directed to make a fixed deposit for Rs.5,000/- every month upon encashment of each cheque for a period of 30 months and the remaining amount of Rs.5,000/- be left in the Saving Bank Account of respondent No.1 to be utilized by her for her sustenance. In this manner, 28 FDRs of Rs.28,000/- each for a period of 30 months shall become due and payable from 30th month onwards up to 58th month and respondent No.1 shall receive Rs.5,000/- along with interest thereon every month.

11. The UCO Bank shall retain the original FDRs with itself and photocopies thereof shall be provided to claimant/respondent No.1.

12. No loan, advance or withdrawal shall be permitted to claimant/respondent No.1 without the permission of this Court.

13. The FDR for Rs.50,000/- shall mature on the expiry of five years. The UCO Bank is directed to release Rs.5,000/- per month to respondent No.1 for the period 60th month onwards in such a manner that the remaining amount should earn some interest and respondent No.1 receives the monthly payment.

14. The UCO Bank is directed to formulate a scheme on these lines and submit a report before this Court on the next date of hearing.

15. The learned counsel for the appellants submit that the appellants shall open a joint account with UCO Bank, Delhi High Court Branch and they shall issue cheques to the claimant/respondent No.1 from that account.

16. The UCO Bank, Delhi High Court Branch is directed to open a joint account of the appellants for the said purpose.

17. The appellants may contact Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) for opening the said joint account.

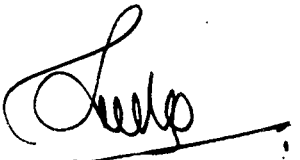
18. The aforesaid settlement between the parties is lawful. The undertaking of the appellants is accepted and the appeal is disposed of in terms of the above settlement. The appellant shall remain bound by the undertaking given to this Court.

19. The statutory amount of Rs.25,000/- be released by the Registry to the appellants within a period of two weeks.

20. List for handing over of the cheques by the appellant to respondent No.1 on 18th September, 2009.

21. Copy of this order be given 'Dasti' to learned counsel for both the parties under the signature of Court Master.

22. Copy of this order be also sent to Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) through the UCO Bank, High Court Branch under the signature of Court Master.


J.R. MIDHA, J

SEPTEMBER 01, 2009
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IN THE HIGH COURT OF DELHI AT NEW DELHI

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MAC.APP. 266/2008

BALJEET SINGH & ORS.

..... Appellant

Through: All the three appellants are in person.

Versus

SUNITA DEVI

..... Respondent

Through: Mr. S.S. Sisodia, Advocate.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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16.09.2013

1. Learned counsel appearing on behalf of the respondent submits that as per the accounts details only Rs.10,000/- is due against the appellants, however, on the last date of hearing, i.e., 05.09.2013, due to communication gap, he stated that Rs.20,000/-remains to be paid by the appellants.
2. All the three appellants are present in person in Court and submit that they have brought Rs.10,000/-. They have undertaken to deposit the same directly in the account of respondent Sunita Devi.
3. In view of the above, amount is satisfied.
4. Consequently, instant appeal is disposed of.


SURESH KAIT, J.

SEPTEMBER 16, 2013

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