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

+ RSA 58/2008

M/S VASUDEV PERSHAD RUSTAGI & CO. & ANR. Appellants

Through : Mr. Alok Mahajan with Pt. Rajesh
Arya, Advs.

versus

SUBHASH CHANDER SEKHRI & ORS. Respondents

Through : Mr. M. Dutta, Adv. for R-1.

AND

+ RSA 59/2008

M/s VASUDEV PERSHAD RUSTAGI & CO. & ANR. Appellants

Through : Mr. Alok Mahajan with Pt. Rajesh
Arya, Advs.

versus

SUBHASH CHANDER SEKHRI & ORS. Respondents

Through : Mr. M. Dutta, Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE VEENA BIRBAL

ORDER

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08.10.2012

RSA No. 58/2008 & RSA No. 59/2008

1. It is stated that the parties have settled the matter. The terms of settlement between the parties has been filed. Appellant no. 1 is a partnership firm. One of the partners Sushil Ratan Rustagi is present in

court who has stated having signed the settlement. Sh. Sushil Ratan Rustagi is also the legal heir of late Sh. Vasudev Pershad Rustagi.

2. It is stated that only respondent no. 1 is the only contesting respondent. The other respondents are proforma parties. Respondent no. 1 is present with the counsel and has stated having signed on the terms of settlement dated 08.10.2012. It is submitted that as the parties have amicably settled the matter, the impugned judgment/decreed be modified in terms of settlement dated 08.10.2012.

The terms of settlement are reproduced as under:-

“1. ₹ 9,20,000/- (₹ Nine lakhs twenty thousand only) to be paid by appellant to respondent no. 1 on 6th November, 2012.

2. All shares (Bonus and Rights) alongwith all dividend accrued in Share Folios Nos. S07478 and R06863 shall belong exclusively to appellant No. 1.”

3. The settlement is taken on record. The parties shall remain bound by the terms of settlement stated above.

4. As the matter has been amicably settled as per terms stated above, respondent no. 4-A shall transfer the shares in the name of appellant no. 1 i.e. M/s Vasudev Pershad Rustagi & Co., a partnership firm after 06.11.2012 on the production of receipt before respondent no.4A about payment of ₹ 9,20,000/- by the appellant no.1 to respondent no.1 i.e.,

23

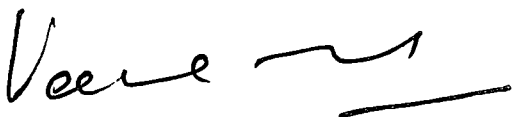
Subhash Chander Sekhri.

Both the appeals stand disposed of in terms of settlement reproduced above.

CM No. 2746/2008 (stay) in RSA No. 58/2008 &
CM No. 2748/2008 (stay) in RSA No. 59/2008

In view of the order on the main appeal, no orders are required on these applications.

The same stand disposed of.


VEENA BIRBAL, J

OCTOBER 08, 2012
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