

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Uploaded on: .08.2026

MA No. 55/2025

Rohit Gupta

.....Appellant(s)/Petitioner(s)

Through: Mr. Vikas Pankaj Sharma, Advocate

vs

M/S Steadfast Health
Care Pvt. Ltd.

..... Respondent(s)

Through: Mr. Sahil Gupta, Advocate and
Mr. Ghara Kumar, Advocate

**Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE**

ORDER
05.08.2026

01. The appellant has preferred the present appeal against the order dated 15.07.2025 passed by the learned Commercial Court, Jammu, in the case titled "*Rohit Gupta vs. M/s Steadfast Health Care Pvt. Ltd.*", whereby the application filed by the appellant seeking condonation of delay in filing an application for setting aside the ex parte judgment and decree dated 05.09.2018 has been dismissed.
02. In terms of the order dated **13.02.2026**, the parties were referred to mediation. The learned Mediator has submitted his report, stating that the parties have amicably resolved their dispute and arrived at a settlement on the following terms:

“1) The appellant, Rohit Gupta, has filed an appeal under Order 43 Rule 1 CPC against the judgment passed by the Additional District Judge, Jammu, whereby M/s Steadfast Healthcare Private Limited

is held entitled to recover an amount of Rs. 3,29,175/- from Rohit Gupta along with interest @ 6% per annum from the date of institution of the suit. However, the decree was passed ex parte.

2) That during the pendency of the this petition, it was referred to mediation and during mediation many efforts were made for reconciliation. The parties have expressed their willingness to settle their dispute amicably. The parties have voluntarily arrived at solution resolving their dispute.

3) The terms of the settlement are as under:

a) It has been agreed by both the parties that Rohit Gupta will pay a total amount of 4 lakh to M/s Steadfast Healthcare Private Limited, c/o Atulya Healthcare, **KC** Complex, in a lump sum, within a period of 16 months.

b) It has also been agreed by both the parties that Rohit Gupta will pay the amount of Rs. 4 lakhs in four installments of 1 lakh each, He will pay the first installment of rupees 1 lakh on or before 31.08.2026. The payment shall be deposited in M/s Steadfast Healthcare Private Limited account No. 921020047800018 in the Axis Bank Sector 47D Chandigarh, CH, Chandigarh 160047. IFS Code UTI80004866. The second installment of Rs. 1 Lakh will be deposited on or before 31.12.2026 in the same account number as given above. The third installment of Rs. 1 lakh will be deposited on or before 30.04.2027 and 4th installment of rupees 1 lakh will be deposited on or before 31.08.2027 in the same account number.

c) It has also been agreed that if any other case regarding this matter is pending before any other Court by any of the parties , it will be withdrawn.

d) The parties are executing the present settlement agreement out of their own free will voluntarily after having understood the terms and conditions of the present agreement with full consent and without any fraud, force, coercion or influence.”

03. The settlement recorded by the learned Mediator has been duly signed by the parties. Learned counsel appearing for the respective parties have submitted that they are under instructions to make statement before this Court that the present appeal may be disposed of in terms of the settlement dated 07.05.2026 recorded by the learned Mediator.

04. In view of the above, the present appeal is disposed of as settled with the following directions:

(i) That the appellant shall pay an amount of Rs. 4,00,000/- to the respondent in four equal installments of Rs. 1,00,000/- each within a period of 16 months.

(ii) That the appellant shall pay the first installment of Rs. 1,00,000/- on or before 31.08.2026 and the said amount shall be deposited in the bank account of the respondent (M/s Steadfast Healthcare Private Limited) bearing Account No. 921020047800018 in the Axis Bank Sector 47D Chandigarh, CH, Chandigarh 160047. IFS Code UTI80004866.

(iii) The second, third and forth installments of Rs. 1,00,000/- each shall be deposited in the aforesaid account number on or before 31.12.2026, 30.04.2027 and 31.08.2027 respectively.

05. The appeal is **disposed of** accordingly.

(M. A. CHOWDHARY)
JUDGE

(RAJNESH OSWAL)
JUDGE

Jammu
05.08.2026
Karam Chand

Whether the order is speaking:

Yes/No

Whether the order is reportable:

Yes/No