

61* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 1559/2012 IA No.19806/2012

Decided on 09.04.2015

IN THE MATTER OF:

SUSHIL PANDEY

..... Plaintiff

Through : Mr. Arjun Vinod Bobde, Advocate
with plaintiff in person.

versus

M/S GRANITE GATE PROPERTIES(P) LTD

..... Defendant

Through : Mr. Ranvir Singh, Advocate

CORAM

HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J. (Oral)

1. The present case was listed on 7.4.2015, on which date, counsels for the parties had informed the Court that they had been able to arrive at an out of court settlement, whereunder the defendant has agreed to pay the plaintiff, simple interest @ 9% per annum on the principal amount deposited by him with the defendant. The parties were directed to inform the Court as to the exact figure payable by the defendant to the plaintiff and at joint request, the case was adjourned for today.

2. Today, counsel for the defendant states that the principal amount deposited by the plaintiff with the defendant comes to ₹16,55,442/- and the interest on the aforesaid amount, if calculated @ 9% p.a., from the date of cancellation of the Buyers agreement, i.e.,

from 19.10.2011 till date, comes to ₹5,17,178/-. He states that a total sum of ₹21,72,620/- is payable by the defendant to the plaintiff in full and final settlement of all the claims against the defendant company and the same shall be paid within one week from today.

3. The aforesaid amount shall be deposited by the defendant directly in the account of the plaintiff through RTGS. The details of the plaintiff's Bank account shall be furnished to the counsel for the defendant in the course of the day. In case the aforesaid amount is not deposited within the stipulated timeline, then the plaintiff shall be entitled to approach the Court for appropriate orders.

4. The suit is disposed of, along with the pending application.

5. At this stage, learned counsel for the plaintiff states that in view of the fact that the parties have arrived at a settlement at the stage of pleadings, the plaintiff is entitled to claim refund of 50% of the court fees in terms of Section 16-A of the Court Fees Act.

6. In view of the aforesaid submission made by the counsel for the plaintiff, the Registry is directed to issue a certificate in favour of the plaintiff for refund of 50% of the court fees, as per law.

7. File be consigned to the record room.

APRIL 09, 2015/sk

(HIMA KOHLI)
JUDGE