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

+ CS(OS) 3919/2014 & IA No.2826/2015

M/S NILGIRI HILL FARMS PVT LTD Plaintiff
Through : Mr. Ajay Dahiya with
Mr. Roop Singh Jadon, AR of the plaintiff
in person.

versus

MAHAVIR Defendant
Through : Ms. Rashmi B. Singh, Advocate with
defendant in person.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
ORDER
% 18.05.2015

1. The suit has been placed before the Court by the Joint Registrar, who has recorded in the order dated 7.5.2015 that as per the counsels for the parties, the parties have arrived at an out of Court settlement.
2. Counsels for the parties reiterate the said submission and state that as against the plaintiff's claim for a sum of ₹23,71,600/-, the defendant has agreed to pay a sum of ₹20.00 lacs in full and final settlement, which offer has been accepted by the plaintiff. They state that vide interim order dated 23.12.2014, passed in IA No.25651/2014, the defendant's bank account bearing No.50100019573995, HDFC Bank, Kapashera Branch, New Delhi had been attached to the extent of ₹23.00 lacs. In view of the fact that the

parties have arrived at an out of court settlement and the plaintiff has agreed to receive a sum of ₹20.00 lacs in full and final settlement of all its claim in the present suit, counsels request that the aforesaid account may be de-sealed so that a sum of ₹20.00 lacs can be released in favour of the plaintiff through RTGS, on the details of the plaintiff's bank account number being furnished by Shri Roop Singh Jadon, authorized representative of the plaintiff. They state that the authorized representative of the plaintiff and the defendant shall jointly approach the Manager of the aforesaid Bank for the said purpose.

4. The defendant appears in person with his counsel and confirms the fact that he has arrived at a settlement with the plaintiff, whereunder he has agreed to pay a sum of ₹20.00 lacs to the plaintiff in full and final settlement of its claims. The authorized representative of the plaintiff confirms having entered into a settlement with the defendant as noted above.

5. Accordingly, liberty is granted to both the parties to jointly approach the Manager of HDFC Bank, Kapashera Branch, New Delhi who shall de-seal the defendant's bank account bearing No.50100019573995. The authorized representative of the plaintiff shall furnish the particulars of the plaintiff's bank account for a sum of

₹20.00 lacs to be remitted from the defendant's account into the plaintiff's account, through RTGS forthwith. Thereafter, the defendant shall be entitled to operate the said account.

6. In acknowledge of the settlement arrived at between them and recorded hereinabove, the parties shall affix their signatures on the margin of the order sheet.

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

Dasti, under the signatures of the Court Master for perusal and compliance by the Bank.

MAY 18, 2015
sk/ap

HIMA KOHLI, J