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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 203/2014, CMs No.3712/2015 (for stay) & 989/2015 (of the
appellant for recall of order dated 22nd December, 2014)
SRI RAJ KUMAR MALHOTRA Appellant
Through: Mr. A.K. Tripathi, Adv.
Versus
SHRI JAGWINDER SINGH KHURANA Respondent
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **14.03.2016**

1. The appeal impugns a money decree dated 13th February, 2014 of the Court of Sh. Jagdish Kumar, Additional District Judge-06 (West), Delhi in Civil Suit no.280/2014 bearing Unique I.D. No.02401C0224262010.
2. Notice of the appeal was issued and subject to deposit of decretal amount in this Court execution stayed. However upon decretal amount having not been deposited, the stay was subsequently vacated.
3. The parties were referred to the Mediation Cell of this Court.
4. Mediation is reported to have been successful with the efforts of Mr. Pawan K. Bahl, Advocate / Mediator and a Settlement Agreement dated 18th December, 2015 signed by the parties and Mediator has been received.
5. The counsel for the appellant supports the settlement and states that the appeal be disposed of in terms thereof.
6. None appears for the respondent.

7. As per the settlement arrived at between the parties, upon the appellant paying Rs.3,90,000/- to the respondent in the manner provided therein and of which Rs.2,50,000/- was paid at the time of signing of Settlement Agreement and post dated cheques of the balance amount issued, the decree was to stand satisfied.

8. The Agreement is found to be lawful and is allowed.

9. The counsel for the appellant states that the entire amount already stands paid. There is no reason to disbelieve.

10. Accordingly, the appeal is disposed of, modifying the impugned decreed in terms of the Settlement Agreement and leaving the parties to bear their own costs.

11. The counsel for the appellant / petitioner invokes Section 16A of the Court Fees Act, 1870 as applicable to Delhi.

12. Applying the same, the half of the court fees paid on the appeal be refunded to the appellant.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J.

MARCH 14, 2016

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