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

+ **CS(COMM) 651/2016**

M/S ASIAN GENERAL AGENCIES & ORS Plaintiffs
Through: Mr. Bhaskar Tiwari and Mr. Amit
Negi, Advs.

Versus

JAIPRAKASH ASSOCIATES LTD. Defendant
Through: Ms. Reena Jain Malhotra and Ms.
Ruchira Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **15.12.2016**

IA No.15509/2016 (of the parties for reference to Mediation Cell of this Court)

1. The counsels for the parties state that the disputes subject matter of this suit have been amicably settled between the parties and reference to Mediation Cell of this Court is sought only to obtain refund of court fees.
2. Only for the said purpose, reference to Mediation Cell is not required. The same can be ordered by this Court in exercise of inherent powers as held by the Division Bench of this Court in *Aya Singh Tirlok Singh Vs. Munshi Ram Atma Ram* AIR 1968 Del. 249 and reiterated in *Shiv Charan Singhal Vs. Rakesh Kumar* 201 (2013) DLT 735.
3. The counsels for the parties state that the parties in this suit for recovery of Rs.1,23,16,728/- with interest have agreed that subject to the defendant paying a further sum of Rs.77,43,087/- (in addition to amounts paid till now) to the plaintiffs vide cheques in the name of plaintiff No.1 as under:

Sl. No.	Cheque No.	Dated	Drawn on	Amount (Rs)
1	119720	23.11.2016	The Jammu & Kashmir Bank Ltd., Chanderkote, Distt. Ramban (J&K)	16,84,000/-
2	119721	23.12.2016	The Jammu & Kashmir Bank Ltd., Chanderkote, Distt. Ramban (J&K)	16,16,000/-
3	119722	23.01.2017	The Jammu & Kashmir Bank Ltd., Chanderkote, Distt. Ramban (J&K)	15,65,000/-
4	119723	23.02.2017	The Jammu & Kashmir Bank Ltd., Chanderkote, Distt. Ramban (J&K)	15,28,000/-
5	119724	23.03.2017	The Jammu & Kashmir Bank Ltd., Chanderkote, Distt. Ramban (J&K)	13,50,087/-
			TOTAL	77,43,087/-

the entire claim of the plaintiffs in the suit shall stand satisfied.

4. The counsel for the defendant states that the defendant will hand over the cheques aforesaid by tomorrow to the counsel for the plaintiffs.

5. It is stated that it has further been agreed that if the cheques are not so handed over or if any of the cheques is returned dishonoured, then a decree for the entire sum of Rs.1,23,16,728/- with interest @ 15% per annum from 26th October, 2013 till payment shall stand passed in favour of the plaintiffs and against the defendant and out of which, the amount received till then shall be deducted.

6. The aforesaid compromise is found to be lawful and is allowed.

7. A decree is accordingly passed, in favour of the plaintiffs and against the defendant in terms of the compromise as recorded above in this order, leaving the parties to bear their own costs.
8. Decree sheet be drawn up.
9. A Certificate enabling the plaintiffs to obtain refund of the court fees paid on the plaint be handed over by the Registry to the counsel for the plaintiffs.
10. The date of 17th January, 2017 before the Joint Registrar is cancelled.

RAJIV SAHAI ENDLAW, J.

DECEMBER 15, 2016

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