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

+ **CS(OS) 955/2015**

DEGAMBER SEN SAWHNY Plaintiff

Through: Ms. Shobhana Takiar, Advocate
along with plaintiff in person.

versus

SKYLINK CONSTRUCTION PVT LTD Defendant

Through: Mr. S.K. Tandon, Advocate along
with Mr. Ashish Malhan, defendant in
person.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
25.02.2016

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I.A. No.2668/2016

This application under Order XXIII Rule 3 CPC has been moved jointly by the parties to record their settlement. The application has been signed by the parties and their respective counsel. It is also supported by the affidavit of Mr. Degamber Sen Sawhny, the plaintiff and Mr. Ashish Malhan, the director and the authorised representative of the defendant company.

Though the valuation of the suit is under Rs.1 Crore, in view of the fact that the parties are proceedings to settle the disputes, this Court is taking up the matter and proceeding to dispose of the application.

It is informed that payment of Rs.10 Lakhs payable in terms of

paragraph 5(b) of the application already stands paid to the plaintiff. Learned counsel for the defendant has tendered the pay orders for Rs.60 Lakhs to the plaintiff with the following details.

Pay Order No.	Dated	Drawn on	Amount
167480	27.01.2016	HDFC Bank Ltd. Greater Kailash-2, New Delhi	40,00,000/-
566322	01.02.2016	Syndicate Bank, Nehru Place New Delhi.	10,00,000/-
566275	19.01.2016	Syndicate Bank, Nehru Place New Delhi.	10,00,000/-

The same are accepted by the plaintiff, who is present in person.

The terms of settlement appear to be fair, just and reasonable and there is no impediment in accepting the same.

Accordingly, the suit is disposed of in terms of the settlement set out in paragraph 5 of the application. The parties shall remain bound by the said settlement.

The plaintiff shall be entitled to refund of 50% of the Court Fees.

Dasti.

VIPIN SANGHI, J

FEBRUARY 25, 2016

B.S. Rohella