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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 329/2015 & CM No.8834/2015 (for stay)
M/S TALWAR PLASTICS PVT LTD Appellant
Through: Mr. Anil Sharma & Mr. Jaskaran
Singh, Advs.
versus

M/S OSWAL CABLE PRODUCTS Respondent
Through: Mr. Sanchit Dhawan, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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13.01.2016

1. This first appeal under Section 96 of the Code of Civil Procedure, 1908 impugns the judgment and decree dated 6th February, 2015 of the Court of Sh. Yogesh Khanna, District & Sessions Judge (North West), Rohini Courts, Delhi, decreeing the suit of the respondent plaintiff against the appellant defendant for a sum of Rs.3,22,934/- together with interest at 9% per annum with effect from 14th May, 2013 till realization with costs.
2. Notice of the appeal has not been issued as yet though the counsel for the respondent has been appearing.
3. Today, the counsels state that the appellant has already paid a sum of Rs.2,00,000/- to the respondent (receipt whereof the counsel for the respondent acknowledges) and that it has been agreed between the parties that subject to the appellant paying a further sum of Rs.1,50,000/- to the respondent in three equal monthly instalments payable on the 10th day of the months of February, March and April, 2016, the decree shall stand satisfied.

4. The aforesaid compromise is found to be lawful and is allowed.
5. The appeal is disposed of by recording the compromise aforesaid and binding the parties thereto and further clarifying that if the appellant defaults in payment of any of the said installments or by the dates specified, the respondent shall be entitled to execute the decree for the entire amount due thereunder less of course the amounts so received from the appellant.

No costs.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J

JANUARY 13, 2016

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