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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 991/2015 & CO. APPL. NO. 3910/2015**

NAVIN HEAVY LIFTERS Petitioner
Through: Mr. Himanshu Bhushan, Adv.

versus

MODERN PREFAB SYSTEMS PVT. LTD. Respondent
Through: Mr. Akshay Makhija, Adv.

CORAM:
HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER
% **13.07.2016**

When this matter was taken up in the pre-lunch session, some suggestions were mooted by both sides to arrive at an amicable settlement in the matter and the matter was passed over to enable parties to take instructions from their respective clients.

The matter has now been called out again at 2.52 p.m. after lunch. Parties have agreed to settle the matter in the following terms:

- (i) As regards the claim of the petitioner for Rs. 4,99,371/- towards the principal outstanding due from the respondent to the petitioner, the respondent has agreed to pay a sum of Rs.4,15,811/- within one month from today.
- (ii) The petitioner has agreed to accept this amount whilst reserving the right of the petitioner to take recourse to any other forum having jurisdiction including the appropriate civil court for recovery of the balance principal amount whilst making it clear that no further claim

including by way of interest shall be raised by the petitioner in respect of Rs. 4,15,811/- agreed to be paid by the respondent to the petitioner within one month from today.

(iii) This is acceptable to the respondent also.

An undertaking in the above terms shall also be filed by the Principal Officer of the respondent company binding the company to the aforesaid terms. The undertaking by way of affidavit shall be filed within 10 days from today with an advance copy to counsel for the petitioner.

Consequently, and as prayed, the petition, as well as all pending applications, are disposed off in the aforesaid terms.

SUDERSHAN KUMAR MISRA, J.

JULY 13, 2016
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