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

+ **FAO 24/2017**

GAURAV BHATIA

Through

..... Appellant
Mr. Akhilesh Arora and Mr. R.N.
Tiwari, Advocates

versus

ARJUN DASS THUKRAL

Through

..... Respondent
Prof. Kamal Jit Chhibber, Advocate

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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13.07.2017

FAO 24/2017, CM APPL. 1534/2017 (for condonation of 60 days delay in filing appeal), 1535/2017 (stay)

1. During the course of arguments it is agreed and accordingly this appeal is disposed of by the consent order that whatever amount is deposited in the Court, being the entire decretal amount with upto date interest and which amount would further earn interest, the total amount as available on date will be divided in two parts with 1/4th of the amount available as on date being returned back to the appellant and the remaining 3/4th being paid to the respondent, and on so doing, claims of both the parties in the litigation will stand settled and adjusted without any claim remaining of one party against the other.

2. Ordered accordingly.

FAO 24/2017

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3. It is also agreed that the compromise recorded in these proceedings is by applying the principle of Section 23 of the Evidence Act and the compromise will not be a reflection of entitlement of either of the parties in any other litigation which either of the parties may have, especially the appellant against one Sh. Sanjay Kharbanda.

4. Appeal is accordingly disposed of as compromised in the aforesaid terms, leaving parties to bear their own cost. Registry will in terms of the present order give/pay $1/4^{\text{th}}$ of the amount available as on date to the appellant and the remaining $3/4^{\text{th}}$ available as on date will be paid to the respondent. All pending applications also stand disposed of.

VALMIKI J. MEHTA, J

JULY 13, 2017

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