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

DECIDED ON : 13th DECEMBER, 2017

+ **RFA 180/2000**

TWENTY FIRST CENTURY MEDICARE LTD..... Appellant

Through : Mr.Rajeev Sharma, Advocate with
Ms.Radhalakshimi R. & Mr.Rajat Krishna, Advocates.

versus

RAJESH KUKREJA Respondent

Through : Mr.S.U.Abbas, Advocate along with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

1. A demand draft bearing No.013062 dated 12.10.2017 for a sum of ₹10,000/- in the name of respondent drawn on IDBI Bank in terms of the order dated 26.09.2017 has been handed over to the learned counsel for the respondent in the Court today.

2. The present Regular First Appeal has been preferred by Twenty First Century Medicare Ltd. (hereinafter 'the appellant') against Rajesh Kukreja (hereinafter 'the respondent') to challenge the legality and correctness of a judgment dated 05.10.1999 of learned Addl. District Judge in Suit No.921/96 titled '*Rajesh Kukreja vs. Twenty First Century Medicare Ltd.*' by which decree for a sum of ₹1 lac along with compound interest @ 24% w.e.f. 06.06.1989 by way of damages with annual rests was granted in favour of the respondent and against the appellant.

3. It was urged that the rate of interest awarded by the Court below was unreasonable. Moreover, ₹1 lac paid by the respondent

were returned vide cheque No.300591 dated 10.05.1996 on 14.05.1996.

4. During the course of arguments, the parties opted to settle the dispute amicably. It was agreed that the appellant shall pay ₹15 (Fifteen) lacs to the respondent within a month in full satisfaction of all his claims.

5. Learned counsel for the parties urge to modify the impugned judgment and decree in terms of the settlement.

6. Since the matter has been settled between the parties amicably, the impugned judgment / decree is modified and the appeal stands disposed of in terms of the settlement whereby the appellant shall pay ₹15 lacs to the respondent within a month by way of demand draft in his name as full and final satisfaction of all his claims.

7. In case of non-compliance, the respondent will be at liberty to approach this Court.

8. Trial Court record (if any) be sent back forthwith with the copy of the order.

9. The Court records appreciation for Mr.Rajeev Sharma, Advocate for the appellant and Mr.S.U.Abbas, Advocate for the respondent in assisting the Court to arrive at final settlement in the long-drawn litigation pending since 1996.

(S.P.GARG)
JUDGE

DECEMBER 13, 2017 / tr