

\$~24

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

+ **CS(OS) 151/2007**

SURYA KIRAN FINANCE CORPORATION Plaintiff
Through: **Mr. Sumit Kumar Vats, Ms. Shivangi Singh and Mr. Deepak Dhingra,**
Adv.

Versus

SHASHI AGARWAL AND ORS. Defendants
Through: **Mr. Ashok K. Aggarwal, Adv.**
(defendant No.2 in person)

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **26.04.2017**

1. The plaintiff has instituted this suit for recovery of Rs.1,70,00,000/- from the defendants No.1&2 Smt. Shashi Agarwal and Shri Ashok K. Agarwal respectively. The defendant No.3 Dharampal Satyapal Ltd. was impleaded as a proforma party.
2. The parties were vide order dated 23rd May, 2016 referred to the Mediation Cell of this Court.
3. Mediation has been successful with the efforts of Ms. Anjali Vohra, Advocate/Mediator and a Settlement Report dated 21st April, 2017 along with a Deed of Settlement dated 21st April, 2017 has been received from the Mediation Cell of this Court.

4. The counsel for the plaintiff and the defendant No.2 in person who states that the defendant No.1 is his wife and he is appearing for her also appear and state that the Settlement Report as well as the Deed of Settlement have been signed by / on behalf of all the parties and seek a decree in terms of the Settlement Report and the Deed of Settlement.
5. The defendant No.2 states that as per the Settlement Report and Deed of Settlement, the decree is to be against the defendant No.2 only and not against the defendant No.1.
6. The counsel for the plaintiff confirms.
7. The parties have also made the statements in terms of the Deed of Settlement.
8. I have perused the Settlement Report and the Deed of Settlement and find the compromise arrived at between the parties to be lawful and allow the same.
9. A decree is passed in favour of the plaintiff and against the defendant No.2 in terms of the Settlement Report and the Deed of Settlement which shall form part of the decree sheet, leaving the parties to bear their own costs.
10. Decree sheet be drawn up.
11. The counsel for the plaintiff seeks refund of the court fees.
12. Out of the court fees paid of Rs.1,68,270/-, a certificate entitling the plaintiff to refund of Rs.1,50,000/- be prepared and handed over to the counsel for the plaintiff.

RAJIV SAHAI ENDLAW, J.

APRIL 26, 2017/bs..
CS(OS) 151/2007

Page 2 of 2