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

+ RFA 129/2016

SUBHASH NAGPAL & ORS

..... Appellants

Through: Mr.Anuj Kapoor, Advocate with
appellant No.1 in person

versus

HARVINDER SINGH

..... Respondent

Through: Mr.Anjum Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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18.12.2017

1. Mediation settlement dated 08.12.2017 has been received from the Delhi High Court Mediation and Conciliation Centre.
2. Learned counsel for the appellants/judgment debtors along with appellant No.1 who is present in Court and learned counsel for the respondent/deGREE holder confirm the mediation settlement dated 08.12.2017. The following are the terms and conditions of the mediation settlement, wherein 'First Party' is appellants and 'Second Party' is respondent:-

“a. That the First Party has agreed that the FDR of Rs.5,70,739/- (Rupees Five Lakhs Seventy Thousand Seven Hundred Thirty Nine Only) along with interest accrued thereupon till date shall be released in favour of the Second Party and the First Party shall have no objection if the said amount is given to the Second Party.

b. The First Party shall co-operate fully for the release of

the FDR along with interest accrued thereupon till the date of realization.

c. The Second Party agrees to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) by way of cheque/cash to the First Party on or before 18.12.2017.

d. In the event of any default by either party, the parties agree that the defaulting party shall be liable for contempt and other legal consequences in accordance with law.

e. The First Party undertakes to withdraw the present appeal being RFA No.129/2016 in terms of the present Settlement Agreement on the next date of hearing i.e. 18.12.2017.

f. By signing this Agreement the parties hereto state that they have no further claims or demands against each other and all the disputes and differences in this regard have been amicably fully and finally settled by the parties hereto through the process of Mediation.

g. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator.

h. That the parties undertake before the Hon'ble Court to abide by the terms and conditions set out in this Agreement and not to dispute the same hereinafter in future."

3. It is submitted that a sum of Rs.5,70,739/- has been deposited by the appellant with the Registry of the Court. It is agreed that this amount along with accrued interest thereon shall be released to the respondent. Respondent has also agreed to pay Rs.2,00,000/- by cheque or by cash to the appellants.

4. Instead of making payment of Rs.2,00,000/- by cash to the appellants,

it is now agreed that this amount of Rs.2,00,000/- be reimbursed to the appellant out of the deposited amount of Rs.5,70,739/-. The balance amount of Rs.3,70,739/- along with accrued interest on the entire amount be released to the respondent.

5. The parties shall remain bound by the terms and conditions of the mediation settlement.

6. Appeal stands disposed of accordingly.

VINOD GOEL, J.

DECEMBER 18, 2017
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