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

+ RFA 314/2017

M/S AMBIENCE PRIVATE LIMITED Appellant
Through: Mr.S.S.Sobti and Mr.Ajay Kohli,
Advocates.

versus

A B PAL ELECTRICALS P LTD Respondent
Through: Mr.Arun Batta, Advocate.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

ORDER
% **05.12.2017**

1. Settlement agreement dated 21.11.2017 has been received from Delhi High Court Mediation and Conciliation Centre. Both the learned counsel for the parties confirm the mediation settlement which was arrived at between the parties on 21.11.2017 before the learned Mediator.
2. Following are the relevant terms and conditions of the settlement dated 21.11.2017:-

“8. The following settlement has been arrived at between the parties hereto:-

- a. That the decree holder/second party has agreed to accept a sum of Rs.11,00,000/- (Rupees Eleven Lakhs only) in full and final settlement of all the claims against the first party/judgment debtor.
- b. That parties agree to pray to the Hon'ble Court to release the amount of Rs.11,00,000/- from the decretal amount already deposited by the first party/judgment debtor, in favour of the second party and the balance deposited amount along with

interest accrued, if any, shall be released to the first party.

c. Both the parties agree that the present RFA No.314/2017 be disposed of in terms of the present settlement agreement.”

3. As per the report of the Registry a sum of Rs.13,69,543/- has been deposited by the appellant with the Registry of this Court in the form of FDR in favour of Registrar General of the Court. As per the settlement arrived at between the parties, a sum of Rs.11,00,000/- only has to be paid to the respondent/decree-holder and the balance with the accrued interest thereon has to be refunded to the appellant/judgment debtor. As such, the Registrar General of the Court is directed to release Rs.11,00,000/- only to the respondent and the balance amount of Rs.2,69,543/- and entire accrued interest be refunded to the appellant. The cheques so prepared be handed over to learned counsel for the parties.

4. Appeal and CM No.34320/2016 & CM No.34321/2016 are disposed of accordingly.

5. Since the matter has been settled by mediation between the parties, the court fee paid by the appellant on the memo of appeal be refunded to him. The Registrar General shall issue necessary certificate to the appellant to obtain the refund of court fee from the concerned authorities.

VINOD GOEL, J.

DECEMBER 05, 2017
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