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

+ **CO.PET. 432/2016**

GAUTAM GARG

..... Petitioner

Through: Mr. Parveen Uppal, Advocate.

versus

TECHNOPAK ADVISORS PVT. LTD.

..... Respondent

Through: Ms. Divya Krishnan, Advocate.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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02.05.2017

Learned counsel appearing on behalf of the parties, state in unison, that the underlying dispute that led to the institution of the present company petition has been amicably settled by and between the parties. Ms. Krishnan, learned counsel appearing on behalf of the respondent-company states that pursuant to the settlement agreement, the following three post dated cheques have been issued to the petitioner by the respondent-company:-

S.No.	Cheque No.	Cheque Dated	Amount
1.	849951	28.02.2017	1,31,921
2.	849952	31.03.2017	1,31,921
3.	849953	30.04.2017	1,31,921

Learned counsel appearing on behalf of the petitioner states that Cheque No.849951 dated 28.02.2017 for the sum of Rs.1,31,921/-; and Cheque No.849952 dated 31.03.2017 for the sum of Rs.1,31,921/-, have since been presented for encashment and have been duly honoured. Learned

counsel appearing on behalf of the petitioner states that Cheque No.844953 dated 30.04.2017 for the sum of Rs.1,31,921/- is yet to be encashed.

Counsel appearing on behalf of the respondent-company undertakes that the aforesaid Cheque No.844953 30.04.2017 in the sum of Rs.1,31,921/- shall be duly honoured upon presentation and that they shall maintain sufficient funds in the account for encashment thereof. The undertaking is duly accepted.

In view of the settlement arrived at between the parties as aforesaid, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present company petition with liberty to revive the same in the event the respondent company defaults in performing its obligations under the said agreement.

Leave & liberty granted.

Consequently, the accompanying company petition is dismissed as withdrawn and disposed of accordingly. Pending applications, if any, also stand disposed of.

SIDDHARTH MRIDUL, J

MAY 02, 2017
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