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

+ RSA 190/2016

CONTINENTAL SURAKSHA INSURANCE BROKING SERVICES PVT  
LTD

..... Appellant

Through: Mr. Mohd. Furgan, Advocate with  
Ms. Reena Dhawan, Advocate.

versus

DEEPAK NAGPAL

..... Respondent

Through: Ms. Neha Garg, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE VALMIKI J. MEHTA**

**ORDER**

% **21.04.2017**

**C.M. No.3462/2017 (for recalling of order dated 16.12.2016 by appellant)**

1. Learned counsel for the appellant argues that the order dated 16.12.2016 dismissing the appeal for non-prosecution be recalled inasmuch as the arguing counsel was for a genuine reason not available and that the appellant will compensate the respondent with costs of Rs.7,500/- for seeking restoration. Counsel for the respondent without prejudice is ready to receive the costs for restoring of the appeal.

2. Accordingly, this application for restoration is allowed and

appellant will pay costs of Rs.7,500/- to the respondent within four weeks from today. The appeal is restored to its original number.

C.M. stands disposed of.

**+RSA No.190/2016**

3. This appeal is disposed of with the consent order that the respondent will receive a sum of Rs.50,000/- which is already deposited by the appellant in this Court alongwith accrued interest thereon, if any, in full and final settlement of the claim of the respondent/plaintiff in the subject legal proceedings.

4. Appeal is accordingly disposed of in terms of aforesaid consent order, leaving the parties to bear their own costs.

**VALMIKI J. MEHTA, J**

**APRIL 21, 2017**

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