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

+ W.P.(C) 2799/2014 and C.M. Appl. 5806/2014

M/S KAMAL TOUR & TRAVELS PVT. LTD Petitioner
Through: Mr. Sanad K. Jha, Advocate

versus

TARA CHAND & ORS Respondents
Through: Ms. Gitanjali Malviya, Advocate for
respondent No.1
Mr. Shadan Farasat and Mr. Ahmed
Said, Advocates for respondent No.2

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
19.07.2017

1. The parties have amicably settled their disputes. The terms of the settlement are recorded in the settlement agreement dated 14th July, 2017.
2. As per the settlement, the petitioner has agreed to pay Rs.3 lakh in three equal instalments of Rs.1 lakh each to respondent No.1 in full and final settlement. The first instalment is payable on 18th August, 2017, the second instalment is payable on 19th September, 2017 and the third instalment is payable on 30th October, 2017. It is further agreed that the petitioner shall seek the refund of Rs.1 lakh deposited with the Registrar General of this Court in terms of the order dated 05th May, 2014 along with interest accrued thereon.
3. This court is of the view that the amount of Rs.1 lakh deposited by the petitioner along with interest accrued thereon be released to respondent No.1 towards the first instalment instead of the said amount being refunded to the petitioner.

4. Learned counsel for the petitioner has taken instructions from the petitioner and he submits that the petitioner has no objection to the release of the aforesaid amount to respondent No.1.
5. This writ petition and the pending application are disposed of in terms of the settlement between the parties. The Registrar General is directed to release the amount of Rs.1 lakh deposited by the petitioner in terms of order dated 05th May, 2014 along with interest accrued thereon to respondent No.1 within a period of three weeks from today. The petitioner shall pay the second instalment of Rs.1 lakh to respondent No.1 on or before 19th September, 2017 and the third instalment of Rs.1 lakh less interest accrued on the FDR of Rs.1 lakh, on or before 30th October, 2017.
6. The petitioner is directed to file an undertaking to this Court to make the payment of the second instalment of Rs.1 lakh to respondent No.1 on or before 19th September, 2017 and the third instalment of Rs.1 lakh less the interest accrued on the FDR of Rs.1 lakh to respondent No.1 on or before 30th October, 2017 within a period of four weeks from today.
7. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

J.R. MIDHA, J.

JULY 19, 2017
rsk