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

+ **MAT.APP. 141/2009**

SHAKUNTALA

..... Appellant

Through Mr. Monica Kapoor, Advocate with
appellant in person

versus

BALENDER KUMAR VYAS

..... Respondent

Through Mr. Vaibhav Bharti, Advocate

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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30.01.2017

MAT.APP. 141/2009 and CM No. 39540/2016

A sum of Rs. 1 lakh i.e. Rs. 50,000/- by cash and Rs. 50,000/- by cheque has been handed over by the respondent to the petitioner (who is present in court) this is in terms of the directions of the Court dated 12.10.2016. This is the last instalment which is being received by the petitioner as admittedly earlier a sum of Rs. 3 lakhs already stands paid to the petitioner.

Needless to state that liberty is granted to the appellant to approach the Court in case this order of the Court is not honoured. It has also been agreed between the parties that a complaint under section 138 of the Negotiable Instruments Act qua this cheque of Rs. 1 lakh (for which Rs. 50,000/- has been paid by the cash and a fresh cheque dated 07.02.2017 has been issued for the balance amount of Rs. 50,000/-) shall also be withdrawn by the complainant before the

competent Court. The penalty of Rs. 10,000/- imposed by the learned MM in those proceedings (under section 138 of the Negotiable Instrument Act) shall be paid by the respondent to the petitioner. After payment of that amount complaint will be withdrawn by the petitioner.

Appeal disposed of.

INDERMEET KAUR, J

JANUARY 30, 2017

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