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

+ **CO.PET. 387/2015**

TAYAL FINANCIAL SERVICES PVT LTD Petitioner

Through: Mr. Sunil Malhotra, Advocate with
Mr. Rakesh Tayal (Director)

versus

THREE C HOMES PVT LTD Respondent

Through: Mr. Ranvir Singh and Ms. Roshni
Chatterjee, Advocates with Mr. Anand
Ram (Director)

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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06.01.2017

CO. APPL. 5080/2016 (early hearing)

This is an application under Rule 9 of the Companies (Court) Rules, 1959 filed on behalf of the petitioner for early hearing of the matter.

Notice. Mr. Ranvir Singh, Advocate appearing on behalf of the respondent company accepts and does not oppose this application.

For the reasons stated in the application, the same is allowed.

The case is taken up for hearing today and the date already fixed, i.e., 28th February 2017, stands cancelled.

The application stands disposed of.

CO.PET. 387/2015

Learned counsel appearing on behalf of the parties have handed over in Court today a copy of the Deed of Settlement dated 6th January 2017, entered into by and between them. The same is taken on record.

I have perused the said Deed of Settlement dated 6th January 2017 and I am of the view that the settlement entered into by the parties is lawful. The

parties are, therefore, directed to comply with their reciprocal obligations under the said Deed of Settlement dated 6th January 2017, without demur.

In pursuance to the said Deed of Settlement, the following cheques have been handed over by the learned counsel for the respondent company to the learned counsel appearing on behalf of the petitioner:-

Sl. No.	Cheque No.	Dated	Amount (in Rs.)	Drawn on
1.	860801	06.01.2017	35,34,650/-	UCO Bank
2.	860802	07.02.2017	8,83,662/-	UCO Bank
3.	860803	07.03.2017	8,83,662/-	UCO Bank
4.	860804	07.04.2017	8,83,662/-	UCO Bank
5.	860805	07.05.2017	8,83,662/-	UCO Bank
6.	860806	07.06.2017	8,83,662/-	UCO Bank
7.	860807	07.07.2017	8,83,664/-	UCO Bank

Learned counsel for the petitioner accepts the said cheques, subject to encashment. In this behalf learned counsel appearing on behalf of the respondent company, on instructions from Mr. Anand Ram (Director of the respondent company), undertakes that the said cheques shall be duly honoured on presentation.

In view of the foregoing, Mr. Malhotra, learned counsel appearing on behalf of the petitioner, on instructions from Mr. Rakesh Tayal (Director of the petitioner company), seeks leave to withdraw this petition, at this stage, with liberty to revive the same in the event the terms of the said Deed of Settlement are not complied with by the respondent company.

Leave and liberty granted.

The present petition is dismissed as withdrawn and stands disposed of accordingly.

JANUARY 06, 2017

Aj

SIDDHARTH MRIDUL, J