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

+ RFA 936/2016

GAGAN JAIN & ANR

..... Appellant

Through: None.

versus

VIJAY RANA & ANR

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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13.09.2017

The present appeal first came up before this court for hearing on 1st December 2016 when this court directed issuance of notice of the appeal as well as of stay application to the respondents. The operation of the impugned judgment and decree was ordered to be stayed till further orders, subject to the appellants depositing the entire decretal amount with up to date interest within six weeks from that date.

On 23rd January 2017, the appellant moved an application for seeking extension of time for depositing the decretal amount which was allowed by granting further four weeks time to deposit the amount. On 27th February 2017, the appellant moved another application for seeking extension of time to deposit the decretal amount, when this court granted last and final opportunity to the

appellants to deposit the entire decretal amount with upto date interest by 8th March 2017. It was further recorded in the order that if the appellants fail to deposit the amount in terms of the order passed on 1st December 2016, then the respondent shall be entitled to seek execution of the impugned judgment and decree in accordance with law.

Thereafter, the matter came up before the Registrar on 8th March 2017 when counsel for the parties stated that the matter is likely to be settled and requested for an adjournment and the matter was directed to be listed before court on 14th March 2017, the date already fixed.

When the matter came up before this court on 14th March 2017, the parties requested to refer the matter to mediation to explore the possibility of arriving at the settlement and accordingly, the parties were directed to appear before the Delhi High Court Mediation and Conciliation Centre on 23rd March 2017.

The order sheet dated 26.04.2017 records that the parties have settled the disputes through mediation and the settlement agreement dated 28th March 2017 was also on record. The matter was directed to be listed for today.

Nobody appears on behalf of the parties. Considering the fact that the matter has been settled between the parties before the Delhi High Court Mediation and Conciliation Centre and the settlement agreement dated 28.03.2017 entered into between the parties is also

on record, it seems that the parties are satisfied with the settlement arrived at mediation. Consequently, in view of the facts and circumstances, the present appeal is disposed of accordingly.

P.S.TEJI, J

SEPTEMBER 13, 2017

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