

\$~135

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

+ **FAO 538/2016 and C.M. Appl. 43125/2016**

BSES RAJDHANI POWER LTD Appellant

Through: Mr. Sandeep Prabhakar and Mr.
Vikas Mehta, Advocates

versus

WAZIR CHAND & ANR Respondents

Through: Mr. Deepankar Mohan, Advocate for
respondent No.1
Ms. Latika Choudhary, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **24.08.2017**

1. The parties have amicably settled their disputes through mediation. The terms of the settlement are recorded in the settlement agreement dated 22nd August, 2017 which is taken on record. As per the settlement agreement dated 22th August, 2017, the appellant and respondent No.2 have agreed to pay Rs.4,50,000/- to respondent No.1 in full and final settlement. The original settlement agreement dated 22nd August, 2017 is on record.
2. The appeal and the pending application are disposed of in terms of the said settlement.
3. The appellant has deposited Rs.8,73,880/- with the Commissioner, Employees' Compensation and the said amount has been remitted to the Registrar General of this Court vide order dated 21st November, 2016.
4. The Registrar General is directed to release Rs.4,50,000/- to respondent No.1 by transferring the said amount to UCO Bank, Delhi High Court Branch with instructions to disburse the said amount in the following manner: -

- (i) Rs.70,000/- be released to respondent No.1 by transferring the same to his savings bank account No.607310110000738, Bank of India, Chhatarpur Branch, New Delhi (IFSC: BKID0006073).
 - (ii) The balance amount of Rs.3,80,000/- be kept in 38 FDRs of Rs.10,000/- each in the name of respondent No.1 for the period 1 month to 38 months with cumulative interest.
5. All the original FDRs shall be retained by UCO Bank, Delhi High Court Branch. However, the statement containing FDR number, FDR amount, date of maturity and the maturity amount be furnished to respondent No.1.
 6. At the time of maturity, the maturity amount shall be credited to the aforesaid savings bank account of respondent No.1.
 7. No cheque book or debit card be issued to the respondent No.1 by Bank of India, Chhatarpur Branch without permission of this Court and if the same has already been issued, Bank of India, Chhatarpur Branch is directed to cancel the same forthwith.
 8. No loan or advance or pre-mature discharge shall be permitted without the permission of this Court.
 9. The balance amount, after releasing Rs.4,50,000/- to respondent No.1, be refunded to the appellant, BSES.
 10. The record of the Commissioner, Employees' Compensation be returned back forthwith.
 11. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.
 12. Copy of this order be sent to Bank of India, Chhatarpur Branch.

J.R. MIDHA, J.

AUGUST 24, 2017

rsk