

\$~28

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

+ RFA 266/2017 & C.M. Nos.9291-92/2017

JAGMOHINI SANGWAN & ANR Appellants
Through: Mr. Atul Bandhu, Advocate with
Mr. Shailja Chauhan, Advocates with appellant
No.1 in person.

versus

PURAN CHAND KAUSHAL Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
07.03.2017

%

1. The present appeal has been filed by the appellants/defendants against the impugned judgment dated 27.8.2016, passed by the learned trial court in a suit for recovery of Rs.19.50 lakhs instituted by the respondent/plaintiff towards damages for malicious prosecution.
2. The trial court has partly decreed the said suit in favour of the respondent/plaintiff for a sum of Rs.6 lakhs, by taking a note of the fact that the parties had entered into a settlement in terms of a MOU dated 04.2.2015 (Ex.DW1/PA) whereunder, the appellants/defendants and the respondent/plaintiff had agreed to bury their *inter se* disputes including several cross litigations on the appellants paying a sum of Rs.16 lakhs to the respondent. Out of the said agreed amount, Rs.10 lakhs was paid by the appellants but the balance amount of Rs.6 lakhs remained unpaid.

3. After addressing arguments for some time, learned counsel for the appellant states on instructions that he does not wish to press the present appeal.

4. In view of the aforesaid submission, the present appeal is dismissed as withdrawn alongwith the pending applications.

MARCH 07, 2017
ap/rkb

HIMA KOHLI, J

