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

+ **RFA 670/2017 and C.M. Appl. No. 26944-46/2017**

AARGEE CONTRACTS PRIVATE LIMITED Appellant
Through: Mr. Akhilesh Arora, Advocate.

versus

HCL SECURITY LIMITED Respondent
Through: Advocate (*appearance not given*).

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
% **31.07.2017**

1. After arguments, this appeal is disposed of with the consent order that the impugned judgment of the trial court dated 18.4.2017 will stand, however, the pre-suit *pendente lite* and future interest till realization will be at the rate of 6% per annum and not as granted by the trial court.

2. The decree of the trial court is modified and the rate of interest is reduced subject to the condition that the appellant will deposit the balance amount now payable within a period of two months from today in this Court and which amount on being deposited in this Court

be released to the respondent/plaintiff.

3. Appellant/defendant for calculation of the amount due till today will be entitled to adjustment of an amount of Rs.12,93,000 which has been deposited with the Court in Company Petition No. 312/2011 i.e. the rate of interest at 6% per annum payable by the appellant/defendant to the respondent/plaintiff will stop running from the date of deposit of the said amount in this Court. The amount deposited in this Court in the company petition along with accrued interest thereon be released to the respondent/plaintiff and on appellant/defendant paying interest at 6% per annum on the amount of Rs.12,93,000/- to the date of deposit of Rs.12,93,000/- in this Court will stand discharged of any liability to the respondent/plaintiff.

4. The appeal is accordingly disposed of as compromised subject to the appellant/defendant depositing in this Court interest at the rate of 6% per annum on the amount of Rs.12,93,000/- from the date as granted by trial court till the date of deposit in this Court and which amount now being deposited as also the amount already deposited in this Court in Company Petition No. 312/2011 be paid to the

respondent/plaintiff along with accrued interest thereon, if any.

5. A copy of the order be given *dasti* to counsel for the parties.

VALMIKI J. MEHTA, J

JULY 31, 2017

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