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

+ **RFA 824/2017**

M/S HI-TECH CITY DEVELOPERS PVT LTD & ANR

..... Appellants

Through: Mr. Manoj Singh, Advocate.

versus

ABHAI KUMAR JAIN @ ABHAY JAIN & ANR Respondents

Through: Mr. Sushil Shukla, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **26.09.2017**

CAVEAT No. 847/2017

Since counsel for the caveator has entered appearance, the caveat stands discharged.

C.M. Appl. No. 35453/2017 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

RFA 824/2017 and C.M. Appl. Nos. 35451-52/2017

1. After arguments, this appeal is disposed of with the consent order that though the impugned judgment of the trial court will stand, however, the appellant will be liable to pay uniform rate of interest of 7% per annum simple from 19.6.2006 till the date of payment. It is

also agreed that the appellant in order to get the benefit of this concession will make payment of the decretal amount and as modified by today's order within a period of six months from today and for which period interest will continue at 7% per annum as stated above.

2. In case of any default of the appellant in not making payment of the aforesaid amount within six months, then the rate of interest as stated in the impugned judgment and decree dated 17.3.2017 will revive.

3. The appeal is accordingly disposed of as not pressed, but with the aforesaid observations and conditional concession.

VALMIKI J. MEHTA, J

SEPTEMBER 26, 2017

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