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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 3425/2015, IA 25109/2015, CC 40/2016 & CRL.M.A. 6360/2017

GURLAD SINGH

..... Plaintiff

Through: Mr. Rajat Aneja and Ms. Chandrika Gupta, Advocates.

versus

PRAMOD KUMAR BAJAJ

..... Defendant

Through: Mr. Harish Malhotra, Sr. Advocate with Mr. Satya Bhushan and Ms. Radhika Arora, Advocates.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

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09.05.2017

IA 5731/2017 (under Order XXIII Rule 3)

The present application has been instituted jointly on behalf of the parties under the provisions of Order XXIII Rule 1 CPC praying for recording of compromise arrived at between the parties vide Deed of Settlement dated 05.05.2017; and disposal of the suit in terms thereof.

Learned counsel appearing on behalf of the parties state in unison that with the aid and assistance of the Delhi High Court Mediation and Centre they have arrived at an amicable resolution of the underlying disputes vide said Settlement Deed dated 05.05.2017.

The said settlement agreement dated 05.05.2017 entered into between the parties is lawful and the same is taken on record, leaving the parties to comply with their reciprocal obligations there under, without demur.

In pursuance of the aforesaid settlement dated 05.05.2017 the following cheques/demand drafts have been handed over to the learned counsel appearing

on behalf of the plaintiff by the learned counsel appearing on behalf of defendant in court today:-

S. No.	Cheque No./DD	Bank	Date of Cheque/DD	Amount (Rs.)
1	008069	Axis Bank, SPS, Rajouri Garden, Delhi.	05.05.2017	50,00,000/-
2	008068	-do-	05.05.2017	50,00,000/-
3	201442	-do-	31.08.2017	50,00,000/-
4	201443	-do-	30.11.2017	50,00,000/-
5	201444	-do-	28.02.2018	50,00,000/-
6	201445	-do-	05.05.2018	50,00,000/-

Learned counsel appearing on behalf plaintiff acknowledges receipt of the aforesaid cheques/demand drafts subject to their encashment.

Learned counsel appearing on behalf of the defendant undertakes that the aforementioned post-dated cheques shall be duly honoured and sufficient funds shall be maintained in the account at all relevant times. The undertaking is accepted.

In pursuance to the aforesaid settlement the defendant further undertakes not to sell, alienate, create third party rights, encumber or part with possession of the immovable property bearing No.A-5, Mayapuri Industrial Area, Phase-I, Delhi- 110064, till the last installment in terms of the aforesaid settlement is duly paid.

In view of the foregoing, the present application is allowed and is accordingly disposed of.

CS(OS) 3425/2015

In view of the settlement arrived at between the parties as aforesaid, the suit is disposed of in terms thereof. Decree sheet be drawn accordingly.

Pending applications, if any, also stand disposed of.

In view of the circumstance that the suit has been settled with the aid and assistance of the Delhi High Court Mediation and Conciliation Centre, the Registry is directed to refund the court fees paid *qua* the claim as well as counter claim, to the respective parties in the present suit, in terms of the provisions of Section 16 of the Court Fee Act, 1870.

SIDDHARTH MRIDUL, J

MAY 09, 2017

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