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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 393/2005

M/S NARENDER TRADING & ANR Appellants
Through: Mr. Jai Sahai Endlaw, Advocate and
M. Shivansh Soni, Advocate.

versus

M/S DELHI DIOCESAN TRUST ASSOC. Respondent
Through: Mr. Sunil Kumar Singh, Advocate
(9810889018)

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

ORDER

% **04.09.2018**

1. After arguments, this appeal is disposed of with the consent order that the appeal is not pressed and the impugned judgment dismissing the suit for specific performance will stand but the respondent/defendant/seller who has received an amount of Rs.40,000/- under the Agreement to Sell dated 29.1.1982, will refund this amount of Rs.40,000/- received on 29.1.1982 alongwith interest at 12% per annum simple from 29.1.1982 till the date of payment and which date of payment is within a period of six months from today.

2. In case, the amount as stated above is not paid by the respondent to the appellant within six months from today then the rate of interest will

become 15% per annum. On receipt of this amount by the appellant from the respondent, all disputes between the parties which are subject matter of the present litigation will stand settled and satisfied.

3. The appeal is accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

SEPTEMBER 04, 2018

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