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

+ **FAO 132/2017 & CM APPL. 11206/2017**

YUNUSH S

..... Appellant
Through: Mr. Sunny Choudhary, Advocate.

Versus

CHOLAMANDALAM INVESTMENT & FINANCE CO LTD

..... Respondent
Through: Mr. Anubhav Panwar, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **01.03.2018**

The learned counsel for the appellant states that an application filed vide diary no. 79279 yesterday seeks to bring on record documents to the effect that the *lis* has been settled amicably between the parties. A copy of the application has been handed over and is taken on record.

It is the appellant's case that since the *lis* has been settled amicably and the dues have been paid in terms of the NOC dated 05.01.2018 issued by the respondent, nothing survives in the matter and he would not like to press the appeal and indeed the case could be disposed-off in terms of the aforesaid NOC.

The said letter of 05.01.2018 issued by the respondent to the appellant reads as under:-

"With reference to the above, we wish to inform you that we have received full payment towards HP agreement

entered into with above hirer for the above vehicle and we have NO OBJECTION in cancelling the Loan endorsement made in our favour on the registration certification of the above vehicle.

We forward herewith the Loan termination Form No. 35 in duplicate duly signed by us for the needful.

“The given NOC is valid only if the current registered owner of the above vehicle is YUNUSH S as per your records”.

In case, if the current registered owner is different in your records, then this NOC is NOT VALID”.

The learned counsel for the respondent states that indeed this is the position.

The appeal is disposed-off in terms of the aforesaid letter.

NAJMI WAZIRI, J

MARCH 01, 2018

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