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

+ CS(OS) 142/2018

M/S MANLIFT INDIA PVT. LTD. Plaintiff

Through Mr.A.K.Mishra, Adv.

versus

M/S EXCEL AERIAL WORK EQUIPMENT & ANR....Defendants

Through Mr.C.B.Gururaj, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **05.09.2018**

1. Mr.Hitesh Sahni, authorised representative of the plaintiff- M/s Manlift India Pvt. Ltd. and Mr.Vipul Kumar Tuslian, proprietor of the defendant- M/s Excel Aerial Work Equipment are present in person.
2. They have agreed that they will abide by the terms and conditions of the settlement agreement dated 16.08.2018 subject to the following modifications:
 - i) This court will pass a decree for the suit amount of Rs.2,68,67,525.22/-.
 - ii) The defendants shall pay to the plaintiff a sum of Rs.1.80 crores in full and final settlement of the dues of the plaintiff in the manner stated in the settlement agreement dated 16.08.2018.
 - iii) Subject to the defendants complying with the terms and conditions of the settlement agreement, the decree shall stand satisfied. In case, there is default of more than 30 days in making payments of the dues of the plaintiff in terms of the settlement agreement, the plaintiff will

have the option of executing the full decree against the defendants.

3. Accordingly, a decree is passed in favour of the plaintiff and against the defendants for a sum of Rs.2,68,67,525.22/-. The decree shall stand satisfied as stated above on defendants performing the conditions as stated above.

4. The suit stands disposed of. All the pending applications, if any, also stands disposed of.

JAYANT NATH, J.

SEPTEMBER 05, 2018/v