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IN THE HIGH COURT OF DELHI AT NEW DELHI

EX.P. 63/2016, EX.APPL.(OS) 308/2016, 238/2018

MUDASSIR HAYAT AND OTHERS

..... Decree Holders

Through Mr.Rajeev Saxena, Mr.Rachit
Sahney, Ms.Namrata Chauhan and
Mr.Manish Khurana, Advs.

versus

ARSHAD JAMAL SIDDIQUI AND OTHERS

..... Judgement Debtors

Through Mohd. Amanullah, Adv.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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03.07.2018

The Judgment Debtor filed a suit bearing no. CS(OS) 1873/2012 for specific performance and permanent mandatory injunction against decree holders. That the suit was amicably settled in High Court Mediation Centre between the parties therein and accordingly a compromised decree was passed vide judgment dated 08.09.2014. As per the decree the total execution amount was ₹ 5 crore 40 lakhs, with respect to the defendant 5 to 9 in the suit therein i.e. 1873/2012. It is submitted that the balance amount left out of ₹ 5 crore 40 lakhs is ₹ 1,55,00,000/- and interest thereon the said amount is ₹ 45,00,000/-thus totalling ₹ 2,00,00,000/-. Out of defendant 5 to 9 therein in suit, the decree against defendant no 5 and 9 already stands satisfied and defendant no 6,7 and 8 the decree was partly satisfied

and an amount of ₹ 1,55,00,000/- was due to the decree holders herein.

The decree holders has therefore, filed the aforesaid execution petition against the Judgment Debtors for realization of para 8 of the decree dated 08.09.2014.

It has been agreed between the parties herein to the present execution petition that the Judgment Debtors no.1 and 2 now shall return back/handover the 300 sq yard of land out of 600 sq yard in Khasra No. 372 of the suit property as per site plan annexed as Annexure A with the application. The said return of 300 sq yards will satisfy the decree and the Decree holders shall then return the excess amount of ₹ 70,00,000/- to the Judgment Debtors no.1 and 2 within one months from the date of the order.

In view of the above settlement the decree stand satisfied between the parties and the decree holder is left with no other claim.

In view of the submissions so made, the execution petition stands disposed of.

YOGESH KHANNA, J

JULY 03, 2018
VLD