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

+ **LPA 247/2018**

**THE NEW INDIA ASSURANCE CO LTD
& ORS**

..... Appellant

Through: Mr. Saurabh Prakash, Mr. Kunal
Gosain and Mr. Utsav Jain,
Advocates

versus

SUMAN KHANDUJA

..... Respondent

Through: Mr. R.A. Sharma and Mr. Prem
Chand, Advocates

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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04.05.2018

CAV 411/2018

Mr. R.A. Sharma, learned counsel enters appearance on behalf of the
caveator/respondent.

The caveat is accordingly discharged.

CM APPL.18033/2018 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

LPA 247/2018

Learned counsel appearing on behalf of the parties state that they are
desirous that the present appeal may be disposed of on the mutually
accepted terms reproduced hereinbelow:-

- (i) It is now agreed by the parties that Ms. Suman Khanduja, the respondent herein, will return the amounts received by her, insofar as, they relate to the Provident Fund component, without any interest thereon; but refund the other amounts with interest thereon at the rate of 7.5 per cent, to be reckoned from the respective dates of receipt of the same by her.
- (ii) The appellant shall forthwith encash the cheque for Rs.38 lakhs given by the respondent to the former.
- (iii) The balance amounts outstanding, in terms of the agreed settlement, shall be deducted by the appellants from the respondent's salary over a period of six months, commencing from the month of June, 2018.
- (iv) The appellants undertakes to reinstate the respondent, in the position last occupied by her, within three days of receipt of a certified copy of the order passed by this Court today.

The appeal is disposed of in the aforestated terms, in partial modification of the order impugned in the present appeal. The other terms directed by the impugned order shall, however, remain the same.

A copy of this order be given *dasti* under the signature of Court Master to learned counsel appearing on behalf of the parties.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

MAY 04, 2018/dn