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

+ CM(M) 645/2016 and CM 4314/2017

SRIPAL MITTAL

..... Petitioner

Through: Mr. Vinay Gupta and Mr. Manish Dua,
Advocates

versus

APJ ENTERPRISES

..... Respondent

Through: Mr. Sunil Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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04.04.2018

The parties have amicably resolved the matter in terms of which the petitioner through counsel, under instructions, seeks to withdraw the present petition and undertakes to pay to the respondent / decree holder the decretal amount with up-to-date interest in instalments of Rs.50,000/- p.m., the first instalment to be paid on or before 10.05.2018 followed by similar instalments month by month by 10th of each consecutive month till the decree is fully satisfied.

The petitioner through counsel submits that he understands and agrees that in case there is a default, the entire balance amount would become recoverable and the order which was impugned by the petition at hand for duress process to be issued for the decree to be enforced by the petitioner (judgment debtor) to be sent to civil

prison will also become enforceable.

A formal undertaking to the above effect will be submitted before the executing court within ten days hereof.

Needless to add, in the event of the petitioner scrupulously making the payments in terms of the undertaking as recorded above, the execution of the decree would remain in abeyance.

The petition and the applications filed therewith stand disposed of in above terms.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

APRIL 04, 2018

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