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

+ RFA(OS) 71/2018

TRILOK CHOUDHARY & ORS

..... Appellants

Through: Mr.Puneet Mittal, Sr. Advocate with
Mr.Harsh Vardhan, Advocate.

versus

M/S ANANT RAJ INDUSTRIES

..... Respondent

Through: Ms.Biji Rajesh, Advocate with
Mr.Pankaj Nabra, AR of respondent
and Ms.Kanchan Chaudhary.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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31.10.2018

CM.APPL. 39027/2018 *(delay in filing the appeal)*

This is an application filed by applicant/appellant seeking condonation of 44 days delay in filing the appeal.

Notice. Counsel for the non-applicant accepts notice. The prayer made in this application is not opposed. Accordingly, the delay in filing the appeal is condoned.

The application stands disposed of.

CM.APPL. 39028/2018 *(delay in re-filing the appeal)*

This is an application filed by applicant/appellant seeking condonation of 30 days delay in re-filing the appeal.

Notice. Counsel for the non-applicant accepts notice. The prayer made in this application is not opposed. Accordingly, the delay in re-filing the appeal is condoned.

The application stands disposed of.

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The present appeal is directed against the order/judgment and decree dated 11.05.2018 passed by a learned Single Judge of this Court.

The parties have arrived at an amicable settlement. The appellant and Authorized Representative of respondent are present in Court.

1. It is agreed that the appellant shall pay the decretal amount with interest @ 7.5% per annum within a period of 12 months from 01.12.2018.
2. The amount will be paid in equal monthly instalments.
3. It is agreed that in case of any two consecutive defaults, the respondent would be entitled to execute the decree in terms of the judgment and decree dated 11.05.2018.
4. The appellant shall supply twelve post dated cheques along with details of instalments to the respondent within two weeks from today.
5. The appeal is dismissed as not pressed.

Binding the parties to the stand taken in Court today, the present appeal is disposed of, accordingly.

Since the matter has been resolved by the mediation of this Court, the appellant would be entitled to refund of the Court Fee. It is agreed that the order of attachment shall not be vacated, till the last instalment is paid and the execution petition shall be kept in abeyance till the payment of the last instalment

G.S.SISTANI, J

JYOTI SINGH, J

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