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

+ **FAO 367/2016 & CM Appln. 48002/2016**

O N G C LTD

..... Appellant

Through: Mr. Rakesh Sinha, Mr. Jeemon Raju K., Mr. Avinash Singh, Advocates.

versus

P K KAUL

..... Respondent

Through: Mr. R.K. Jain, Advocate along with respondent in person.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

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13.04.2018

1. Learned counsel for the appellant submits that he has received written instructions from the appellant for accepting Rs.15 lakh from the respondent in full and final settlement.
2. The respondent present in Court along with his counsel undertakes to pay Rs.15 lakh to the appellant in three equal monthly instalments of Rs.5 lakh each in full and final settlement. The undertaking of the respondent is hereby accepted.
3. The respondent has handed over three cheques bearing Nos.007517 dated 13th April, 2018 for Rs.5 lakh, 007518 dated 15th May, 2018 for Rs.5 lakh and 007519 dated 15th June, 2018 for Rs.5 lakh to counsel for the appellant before this Court. The respondent undertakes that he shall arrange sufficient funds for clearance of the aforesaid three cheques and all the aforesaid three cheques shall be honoured on their first presentation. The undertaking of the respondent is hereby accepted.

4. This appeal is disposed of in terms of the settlement. The respondent shall remain bound by the undertaking given to this Court. In the event of the violation of the undertaking by the respondent, the appellant would be at liberty to recover the amount in accordance with law apart from initiating appropriate legal proceedings for violation of the undertaking.
5. The appellant shall withdraw the execution petition within two weeks of the clearance of the last/third cheque. The attachment order issued by the Execution Court against the respondent is hereby stayed till the clearance of the last cheque and thereafter, withdrawal of the execution petition by the appellant.
6. CM Appln. 48002/2016 is disposed of.
7. The respondent shall sign the order sheet before leaving the Court.
8. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

APRIL 13, 2018

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