

\$~CP-9 to 12

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

+ CCP(CO.) 29/2014

DR. MAHESH BATRA & ORS. Petitioners

versus

M/S BATRA BREWERIES AND DISTILLERIES

PVT. LTD. & ORS. Respondent

+ CCP(CO.) 31/2014

DR. MAHESH BATRA & ORS. Petitioners

versus

M/S BATRA HOTELS PVT LTD & ORS. Respondents

+ CCP(CO.) 29/2016

NARESH BATRA Petitioner

versus

MAHESH BATRA & ORS. Respondents

+ CCP(CO.) 30/2016

NARESH BATRA Petitioner

versus

MAHESH BATRA & ORS. Respondents

Through

Present: Mr.Darpan Wadhwa, Sr.Adv. with Mr.Sumit Nagpal,
Mr.Arn timer Kumar and Mr.Vikram Batra, Advts. for the petitioners.
Mr.Prashant Mehra, Adv.for the respondent.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **10.05.2018**

1. Pursuant to the order of this court dated 16.4.2018 learned senior counsel for the petitioner confirms that the proceedings under section 138 of N.I. Act which were filed against the respondent have been withdrawn. This aspect is confirmed by learned counsel for the respondent. Learned counsel

for the respondent has handed over the keys of the property at Khatauni No.54 in Village Rauni, Dera Bassi, Punjab to the learned counsel for the petitioner.

2. It appears that there are still controversies and issues pending between the parties regarding payment of interest on the sum of Rs.4,00,00,000/- which the respondent had to pay to the petitioner. According to the respondent he has paid a sum of Rs.21,00,000/- approximately as interest in full and final settlement in terms of the family settlement dated 1.9.2013 and addendum dated 6.1.2015. However, according to the learned senior counsel for the petitioner an additional amount of Rs.45 lacs approximately is payable to the petitioner on account of interest. This is purely a question of interpretation of the aforesaid documents. There are other claims also now being made by both the sides which cannot be adjudicated upon in the present proceedings This is an exercise which is not to be carried out by a court while exercising jurisdiction under the Contempt of Courts Act.

3. . Accordingly, I dispose of the contempt petitions. Liberty is granted to the parties to take steps before the appropriate civil courts for redressal of their grievances, if any.

4. Title papers lying in the court regarding the property at land measuring 3, Kanals 3.5 Marla in Khasra No. 83/3/2, Khewat No807, Khatauni No.1131, registered on 16.12.2002 in village Bhankarpur, Dera Bassi of Gajraj Beverages Pvt. Limited, structure and plot No.D-20 of Industrial Focal Point in the name of M/s.Blaze Furnishers Pvt. Ltd. will be released to the respondent. This order is passed without prejudice to the rights and contentions of the parties.

5. Parties are at liberty to take appropriate proceedings in a civil court regarding their claims and to also seek appropriate civil remedies, as per law.
6. At this stage, learned counsel for the parties submit that they will try in first attempt to settle their dispute through mediation. Parties to appear before the Delhi High Court Mediation and Conciliation Centre on 17.5.2018 at 3:00 PM. The mediation will be held as a pre-litigation mediation.
7. Contempt petitions stand disposed of.

JAYANT NATH, J.

MAY 10, 2018/n