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

\+ FAO(OS) 308/2016

ANUJ BAIRATHI & ANR ..... Appellants
Through: Mr. Suhail Dutt, Sr. Advocate with Mr.Arjun D. Singh, Mr.Azhar Alam, Advocates

versus

M/S BLUE HORIZON IT SOLUTIONS PVT LTD & ORS ..... Respondents
Through: Mr.Raman Kapur, Sr. Advocate with Mr.Dhiraj Sachdeva, Advocate

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% **27.02.2018**

Mr. Anuj Bairathi and Mr. Gurdip Singh are present in person along with their briefing advocates and senior advocates. Mr.Anuj Bairathi is the Director of M/s Cyber Futuristics India Pvt. Ltd., appellant No.2. Mr.Gurdip Singh is the Director of M/s Blue Horizon IT Solutions Private Limited, second respondent in the present appeal. Mr. Gurdip Singh states that he is also competent and is authorized to represent respondents No.3, 4 and 5 in the present case.

Mr. Anuj Bairathi and Mr. Gurdip Singh state that matter has been settled. Let their statements be recorded on oath.

We have heard the statements made by Mr. Anuj Bairathi and Mr. Gurdip Singh. The Appellants and the Respondents would be bound by the said statements and the undertakings given to the Court, which are accepted. The respondents to the present appeal would deposit Rs.57,50,000/- (Rupees

Fifty Seven Lakh Fifty Thousands only) in this Court on or before 31st March, 2018 or pay the said amount to the appellants by RTGS. The bank account details of the appellants will be furnished to the counsel for the respondents within two days.

The appeal is disposed of in terms of the statements made. No costs.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

FEBRUARY 27, 2018
Pk/VKR

FAO(OS) 308/2016

Statement of Appellant No.1 / Mr.Anuj Bairathi, S/o Mr.R.C. Bairathi, R/o 606, Mahagun Morpheus, E-4, Sector-50, Noida, Uttar Pradesh on SA

I have received an amount of Rs.3,41,75,460/- (Rupees Three Crores Forty One Lakh Seventy Five Thousand Four Hundred Sixty only) from M/s Blue Horizon IT Solutions Private Limited. In case further payment of Rs.57,50,000/- (Rupees Fifty Seven Lakh Fifty Thousands only) is made by M/s Blue Horizon IT Solutions Private Limited on or before 31st March, 2018, I would be satisfied and the said payment would be in full and final settlement of the amount due and payable under the Award dated 4th March, 2015 and disputes arising out of the Agreement to Sell dated 9th March, 2013 in respect of property being Plot No.5, Sector 90, Noida, UP.

I am duly authorized to make this statement on behalf of M/s Cyber Futuruistics India Pvt. Ltd.

R.O. & A.C.

(ANUJ BAIRATHI)

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

FEBRUARY 27, 2018
pk

FAO(OS) 308/2016

Statement of Respondent No.1 / Mr.Gurdip Singh, S/o Late Sh.Kuldip Singh, 8, Tolstoy Marg, Connaught Place, New Delhi – 110001, on SA

I am Director of M/s Blue Horizon IT Solutions Private Limited. I am also authorized to make the statement on behalf of Mr.Navneet Anand, Mrs.Neerja Ghura and Mrs.Satnam Singh Anand. We have already paid an amount of Rs.3,41,75,460/- (Rupees Three Crores Forty One Lakh Seventy Five Thousand Four Hundred Sixty only) to Mr.Anuj Bairathi and M/s Cyber Futuruistics India Pvt. Ltd.

That I and M/s Blue Horizon IT Solutions Private Limited would pay a further amount of Rs.57,50,000/- (Rupees Fifty Seven Lakh Fifty Thousands only) to Mr.Anuj Bairathi / M/s Cyber Futuruistics India Pvt. Ltd. on or before 31st March, 2018.

Payment of Rs.57,50,000/- (Rupees Fifty Seven Lakh Fifty Thousands only) will be made either through the account of M/s Blue Horizon IT Solutions Private Limited or from our personal resources. On the said payment being made, *inter se* disputes between us and Mr. Anuj Bairathi and M/s Cyber Futuruistics India Pvt. Ltd. would stand settled without any further claim against each other arising from the Award dated 4th March, 2015 and Agreement to Sell dated 9th March, 2013 relating to property being Plot No.5, Sector 90, Noida, UP.

In case we do not make payment of Rs.57,50,000/- (Rupees Fifty Seven Lakh Fifty Thousands only) on or before 31st March, 2018, then Mr.Anuj Bairathi or M/s Cyber Futuruistics India Pvt. Ltd. would be entitled to execute the award dated 4th March, 2015 in respect of the balance amount.

I also give an undertaking to the Court to make payment of Rs.57,50,000/- (Rupees Fifty Seven Lakh Fifty Thousands only) on or before 31st March, 2018. I have been informed and warned that in case I do not make the said payment, contempt proceedings can be initiated against me.

R.O. & A.C.

(GURDIP SINGH)

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

FEBRUARY 27, 2018
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