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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 991/2016**

M/S NAWAB MOTORS & ORS Appellants

Through: Mr. Rajinder Mathur, Advocate (M-9810075889)

versus

R C KHURANA Respondent

Through: Mr. Mohit Batra, Advocate (M-9911893100).

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER

% **28.05.2018**

CM APPL. 22722/2018 in RFA 991/2016

The parties have moved an application seeking disposal of the appeal in terms of the settlement. The settlement terms are contained in paragraphs 4(a) to (d). The same are extracted herein below:

4. That the parties have amicably reached an out of court settlement/compromise with respect to the subject matter of the instant appeal to the following effect:-

a) The respondent shall accept from the appellants a total sum of Rs. Two Lacs in full and final settlement of the subject matter of the appeal. On receipt of the said sum of Rs.TwoLacs the judgement and decree dated 31.08.2016 shall stand completely satisfied and the respondent shall be left- with no other claims of any nature whatsoever against the appellants.

b) That out of the said deposlhed amount of Rs . 4 , 66, 914 . 46/-, the appellant be paid a sum of Rs. 2, 00, 000/- and the balance amount with the accrued Interest thereon be paid back to the appellants. The court fee paid on appeal be refunded to the

Appellants.

c) That the parties be left to bear their own costs.

d) The appeal be disposed of accordingly.”

As per the settlement, the Respondent has agreed to accept a sum of Rs. 2 lakhs in full and final satisfaction of the decree dated 31st August, 2016. The remaining amount which is lying deposited in this court along with the interest accrued thereon shall be released to the Appellant.

The Court has perused the settlement. The same appears to be lawful. There is no impediment in recording the compromise. The application is signed by the parties and their respective counsels.

It is accordingly directed that the settlement terms are taken on record. The Registry is directed to release the sum of Rs.2 lakhs in lump sum in favour of the Respondent. The remaining amount along with the accrued interest shall be released in favour of the Appellant (minus any TDS that is to be deducted on the interest component). The release of the amount be done within 10 days.

Since the matter has been settled, the Appellant is liable for return of 50% of court fee under Section 16A of the Court Fee Act. Parties shall bear their own costs.

With the above directions application is disposed of. The appeal is disposed of as settled. Next date of 10th July, 2018 is cancelled.

A copy of this order be given *dasti* under signature of the Court Master.

PRATHIBA M. SINGH, J

MAY 28, 2018/Rahul