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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1268/2016 & CM No.45738/2016**

DINESH KUMAR Petitioner
Through: Mr. Abhimanue Shrestha, Advocate
along with petitioner in person.
versus
MANOHAR LAL (DECEASED) THE LEGAL HEIRS
..... Respondent
Through: Mr. Sudhir Naagar with Mr. Mohit
Singh, Advocates.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **04.04.2018**

The parties have amicably resolved the matter in terms of which the petitioner through counsel, under instructions, seeks to withdraw the present petition and undertakes to pay to the respondent / decree holder an amount of Rs.35,000/- per month in 42 instalments towards the principal and interest in full and final settlement of the decree, the first instalment to be paid on or before 10.06.2018 followed by similar instalments month by month by 10th of each consecutive month.

The petitioner through counsel submits that he understands and agrees that in case there is a default, the entire balance amount in terms of the decree under execution would become recoverable and the order which was impugned by the petition at hand for duress process to be issued for the decree to be enforced by the petitioner

(judgment debtor) to be sent to civil prison will also become enforceable.

A formal undertaking to the above effect will be submitted before the executing court within ten days hereof.

Needless to add, in the event of the petitioner scrupulously making the payments in terms of the undertaking as recorded above, the execution of the decree would remain in abeyance.

The petition and the application filed therewith stand disposed of in above terms.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

APRIL 04, 2018
srb