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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 66/2017 & EA(OS)s No.278/2017 (u/O XXI R-41 CPC) &
279/2017 (u/O XXI R-54 CPC)

RAJIV BHAGWAN HIRA Decree Holder
Through: Mr. Rajat Aneja, Ms. Chandrika
Gupta and Ms. Vandna Aneja, Advs.
with DH in person.

Versus

HANSA SACHDEVA Judgement Debtor
Through: Mr. T.K. Ganju, Sr. Adv. with Mr.
Sarat Chandra Nanda, Mr. T. Mitra
and Mr. S.P. Das, Advs. with JD in
person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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16.03.2018

1. This order is in continuation of the earlier order dated 28th February, 2018.
2. According to the counsel for the decree holder (DH), there is a deficit of Rs.68,69,897/- in the payment made on 28th February, 2018.
3. Needless to state, the senior counsel for the judgment debtor (JD) disputes.
4. The counsel for the DH and the senior counsel for the JD have been heard.
5. After hearing, it is found that the additional amount, if any due under the decree, cannot be computed without recording of evidence, particularly qua Clause 1(e) of the Memorandum of Family Settlement dated 30th May, 2013, between the parties.

6. The possibility of settlement qua the remaining dispute also is explored and after some negotiations, both the counsels, under instructions from their respective clients present in Court, for the sake of finality and maintaining bonhomie between the members of the family, have agreed that on payment of another Rs.35 lakhs by the JD to the DH today, the entire claim of the DH against the JD under the decree and otherwise shall stand settled.

7. The JD present in Court has handed over a cheque in today's date i.e. 16th March, 2018 drawn on HDFC Bank, 4/48, Malcha Marg Shopping Complex, Chankyapuri, New Delhi-110021 for a sum of Rs.35 lakhs in the name of the DH to the DH also present in the Court.

8. Subject to the encashment of the said cheque, the satisfaction of the decree under execution is recorded and the Execution Petition is disposed of.

A copy of this order be given *dasti*.

RAJIV SAHAI ENDLAW, J.

MARCH 16, 2018

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