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

+ **RFA 509/2015**

DHRUV GOEL

..... Appellant

Through: Mr. A. S. Anand and Ms. Kawaljit
Kaur, Advocates. (M:9810058967 &
9999229460) with Appellant in
person.

versus

JUGAL KISHOR GUPTA

..... Respondent

Through: Mr. Navneet Goyal, Advocate.
(M:9811224831)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **06.02.2018**

CM No.4619/2018 (release of amount) & RFA 509/2015

1. The present appeal arises out of order dated 15th May 2015 by which the suit filed by the Respondent/Plaintiff was decreed by the Trial Court for a sum of Rs.4,07,927/- along with costs. Further, *pendente lite* and future interest @ 9% per annum from the date of suit till realization of the amount was also passed.
2. In the present appeal, vide order dated 3rd August 2015 this Court had directed deposit of the decretal amount pursuant to which a sum of Rs.5,30,000/- was deposited by the Appellant. The said amount is lying in a FDR with the UCO bank, Delhi High Court. The amount along with interest accrued thereon as per letter of UCO Bank issued today, is Rs.6,31,672/-.
3. Matter was listed in the morning and passed over at the request of the parties to explore possibility of a settlement. On second call, parties have agreed that the Plaintiff is willing to accept a sum of Rs.4,50,000/- in full

and final settlement of the decree, which is impugned, which is also acceptable to the Defendant. The Defendant is present in Court along with his counsel.

4. In view of the above, following directions are passed.

(a) That a sum of Rs.4,50,000/- be released in favour of the Respondent/Plaintiff by the Registry.

(b) Remaining sum along with interest accrued, if any, shall be released in favour of the Appellant/Defendant, Mr. Dhruv Goel.

(c) Cheques be prepared in favour of both the parties within a period of 10 days and be handed over by the Registry.

5. The impugned judgment and decree is modified as fully and finally settled with the payment of Rs.4,50,000/- in favour of the Respondent/Plaintiff.

6. The application is disposed of. The appeal is also disposed of as settled. Parties /counsels to initial the present order sheet in acceptance of the terms recorded hereinabove.

PRATHIBA M. SINGH, J.

FEBRUARY 06, 2018/dk