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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 565/2015

VAIBHAV JAIN

..... Appellant

Through: Mr. Sanjay Dewan, Advocate
(M:9811036782) with Appellant
(M:9873688287) in person.

versus

**NORTH DELHI POWER LTD (NOW TATA POWER
DISTRIBUTION CO LTD)**

..... Respondent

Through: Ms. Moulshree Shukla, Advocate.
(M:9717317090)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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03.04.2018

1. The mediation report has been received. Parties have entered into a Settlement Agreement dated 2nd April, 2018. Terms of settlement are recorded in paragraph nos.1 to 5, which are reproduced herein as under:

“1. That out of the principal amount of Rs.11,78,793.86 and LPSC amounting to Rs.13,19,022.80, the total amount to be paid and settled between the parties is Rs.13,00,000/- (including the principal and LPSC amounts) only out of which Rs.2,00,000/- has already been paid by the first party vide receipt dated 26.04.2012 (subject to verification by the second party) vide order dated 24.03.2012 passed by the court of Sh. Pankaj Gupta, Ld. ADJ, Central, Tis Hazari Courts, Delhi.

2. That the balance amount of Rs.11,00,000/- will be paid equal installments of 11 months amounting to Rs.1,00,000/- each and will be paid by the first party to the second party. The first

installment will be paid on or before 10.04.2018 and the remaining 10 installments shall be paid before 10th of each calendar month in the form of demand draft / bank transfer / cheque which will be deposited before Tata Power Delhi Distribution Ltd by the first party.

3. That the second party shall correct the demand bill of the first party in terms of the present settlement agreement.

4. That the first party shall continue paying the current regular consumption charges as and when raised apart from the present dispute.

5. That the first party agrees to withdraw the present RFA No.565/2015 on the next date of hearing i.e. 03.04.2018.”

2. As per the settlement, the Appellant has to make payments as recorded in clauses 1 & 2. Parties shall abide by the terms of settlement. Appellant shall ensure that the instalments would be paid as agreed. The impugned judgment/decreed is modified as settled. Decree sheet be drawn as per the terms of settlement. The Court fee is directed to be refunded to the Appellant under Section 16 of the Court Fee Act.

3. Appeal is disposed of as settled.

PRATHIBA M. SINGH, J.

APRIL 03, 2018/dk