

\$~67

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

+ **FAO 291/2019**

**KISHORE KUMAR KHANNA** ..... Appellant  
Through: Mr.Rakesh Kumar, Advocate.

versus

**SANJIV MAHAJAN** ..... Respondent  
Through: Mr.Natwar Rai, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

% **11.12.2019**

**CM APPL.53319/2019 (exemption)**

Exemption is allowed subject to all just exceptions.

**CM APPL.53320/2019 (for withdrawal of petition)**

By this application, appellant seeks leave to withdraw the appeal.

For the reasons stated in the application, application is allowed.

Appeal is taken up for hearing today.

**FAO 291/2019**

1. Appellant impugns order dated 16.07.2019 whereby the appellant has been held guilty of disobeying the status quo order dated 23.09.2002 and has been directed to appear before the Court for arguments on the quantum of punishment.

2. Learned counsel for the parties submit that the parties were referred to mediation and disputes between the parties have been

settled and Settlement Agreement dated 07.11.2019 has been entered into. Learned counsel for the respondent submits that full and final amount as stipulated between the parties has already been received. He further submits that respondent has already withdrawn his proceedings before the Trial Court and does not wish to continue with the prosecution of the appellant.

3. Learned counsel for the appellant submits that there was an error committed on the part of the appellant and there was a confusion with regard to the import of the status quo order and appellant offers his heartfelt unconditional apology for the error on his part.

4. Keeping in view the facts and circumstances and also the fact that the parties have settled and appellant has paid full and final settled amount to the respondent and has also tendered an unconditional apology, which is accepted, the impugned order dated 16.07.2019 is set aside.

5. The appeal is accordingly disposed of in the above terms.

6. Next date of hearing i.e. 31.01.2020 is cancelled.

7. Order *dasti* under the signature of the Court Master.

**SANJEEV SACHDEVA, J**

**DECEMBER 11, 2019**  
rk