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

+ W.P.(C) 2400/2018 & C.M. Nos. 9995/2018, 9566/2019

M/S DELTA AIR FREIGHT (PVT.) LTD. Petitioner

Through: Mr.Ajay Kumar Agarwal, Adv.

versus

SHRI BHAGWAN SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **27.02.2019**

1. Learned counsel for the petitioner states that upon the matter being referred to the Mediation Centre, the parties have amicably resolved their disputes and have entered into a settlement agreement on 15.02.2019. A copy of the settlement agreement has been placed on record. He further states that, as per the settlement, the petitioner has already paid the agreed sum of Rs.2,85,000/- to the respondent by way of a demand draft dated 15.02.2019 and is, therefore, entitled to seek withdrawal of the amount of Rs.1,87,500/- deposited by the petitioner with the Registrar General of this Court. He, therefore, prays that the said amount along with upto date accrued interest be returned to the petitioner.

2. Despite service of an advance copy of the application to the learned counsel for the respondent, none appears on behalf of the

respondent. It is presumed that the respondent does not have any objection to the said application. Even otherwise, having perused the terms of the settlement, I find that in terms thereof the petitioner is entitled to seek withdrawal of the amount deposited before this Court.

3. For the aforesaid reasons, while disposing of the writ petition in terms of the settlement, the petitioner's application seeking withdrawal of the deposited amount being C.M. No.9566/2019 is allowed. The Registry is directed to forthwith release the amount of Rs.1,87,500/- with upto date accrued interest thereon to the petitioner.

4. It is made clear that in view of the settlement arrived at between the parties, the impugned award will no longer be operative. CM No.9995/2018 is also disposed of as infructuous.

REKHA PALLI, J

FEBRUARY 27, 2019

gm