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

\+ RFA 456/2012

SHIRISH KUMAR ..... Appellant

Through: Mr. Priyank Sharma and Mr. S. Kumar, Advs. with appellant in person.

versus

SUNIL BHATNAGAR ..... Respondent

Through: Mr. Shuaib Uddin, Adv. with respondent in person.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

<u>O R D E R</u>

% **21.05.2019**

<u>CM No. 24346/2019 (for direction)</u>

This is a joint application filed by the parties for disposing of the appeal in terms of the compromise deed. The application is signed by the parties and their counsel and is accompanied by their affidavits. The compromise deed annexed along with application reads as under:

> *"This settlement is executed between Sh. Shirish Kumar S/o Late S.S. Srivastava R/o 553-A/041-A, Patel Nagar, Alambagh, Lucknow, Uttar Pradesh (Appellant herein) and Sh. Sunil Bhatnagar S/o Sh. M.P. Bhatnagar R/o Flat No.38-B, Pocket DG-II, Vikas Puri, New Delhi-110018 (Respondent herein)*
>
> *It is hereby mutually agreed between the parties that the*

> *Appellant will hand over one undated cheque bearing no.000030 drawn on Bank of Baroda Janak Puri Branch New Delhi for an amount of Rs.900000/- (Rupees Nine Lakh Only) to the respondent and the appeal will be withdrawn by the Appellant. The respondent will not execute the decree.*
>
> *It is further agreed between the parties that the amount deposited by the Appellant at the time of admission of the appeal shall be released in favour of the Appellant and after the release of said amount in favour of Appellant, the Appellant within one week will inform the respondent to present the said cheque of Rs.900000/- (Rupees Nine Lakh Only)."*

The learned counsel for the appellant submits that in terms of the prayer made in the application, this Court may direct the Registry to release the amount with accrued interest in favour of the appellant.

The aforesaid submission is agreeable to the learned counsel for the respondent. According to the learned counsel for the respondent on the release of the money by the Registry of this Court and upon information from appellant the respondent shall present the cheque for Rs.9 Lacs.

In view of the compromise deed, the Registry is directed to release the amount with accrued interest as deposited in terms of the order dated November 19, 2012 upon the appellant complying all the formalities. On the release of the said amount, the appellant shall take steps in accordance with compromise deed.

List before Joint Registrar for the release of the amount in favour of the appellant on proper verification on May 28, 2019.

The application and the appeal are disposed of as being settled.

V. KAMESWAR RAO, J

MAY 21, 2019/*aky*