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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 19/2020 & IA No.2742/2020

OMEGA FINVEST LLP

..... Petitioner

Through: Mr.Sanjay Gupta with Ms.Shreya
Jain, Advs.

versus

DIRECT NEWS PRIVATE LIMITED

..... Respondent

Through: Mr.Gaurav Srivastava, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.02.2020

1. The present petition under Section 9 of the Arbitration and Conciliation Act, 1996 has been filed primarily on the ground that the respondent had failed to abide by the terms of the settlement entered into between the parties on 16.09.2019 seeks the following relief:-

“a. Restraining the Respondent making any structural changes in the Leased Premises and remove all its equipment from the Leased premises;

b. Handover immediate possession of the Leased Premises to the Respondent;

c. Direct the Respondent to pay to the Petitioner the estimated amount required to restore the premises to its original condition;

d. To appoint an officer of the Court who will visit and inspect the Leased Premises and with the assistance of an Architect/Engineer, assess damage cost and accordingly, submit the report this Hon'ble Court;

e. Direct the Respondent to pay a sum of Rs. 3,00,000 per day as damages towards illegal occupation of the Leased Premises with effect from 01.1.2020 till the vacation of the Leased Premises;

f. Direct the Respondent to pay rent payable as per the Lease Deed for each month, with effect from 01.01.2020 till the Leased Premises is restored to its original condition by the Petitioner;

g. Direct the Respondent to grant unrestricted and unhindered access to the petitioner/its representatives to access and inspect the Premises; and

h. Pass any such other or further orders as may be deemed fit by this Hon 'ble Court in the facts and circumstances of the present case.”

2. During the pendency of the present petition, the parties have arrived into a further settlement and the terms thereof have been set in Para 9 of the joint application filed by the parties. Learned counsel for the parties therefore jointly pray that the petition be disposed of in terms of the settlement recorded in para 9 of the application.

3. The petition along with the pending application is disposed of in terms of the settlement as set out in Para 9 of the application. The parties will remain bound by the terms of the settlement.

REKHA PALLI, J

FEBRUARY 26, 2020

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