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

+ RFA 309/2019 & CM APPL. Nos. 16421/2019, 54309/2019

R K SHARMA

..... Appellant

Through : Mr. Raj Kumar Jain, Advocate.

versus

M/S PATENT ENGINEERS (INDIA) PVT LTD..... Respondent

Through : Mr. Ranjan Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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13.03.2020

The money decree in the present case was for a sum of Rs.3,75,000/- and was based upon a mediated settlement agreement dated 17.11.2018 signed between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi.

2. Counsel for both parties state, that without getting into the defaults made earlier-on, the final position is that a total sum of Rs.1,60,000/- has been paid by the appellant to the respondent (Rs.48,000/- paid to the respondent and Rs.1,12,000/- deposited in this court); and a balance of Rs.2,15,000 is still owed.

3. Learned counsel for the appellant states that the appellant is willing to pay the entire balance sum of Rs.2,15,000/- within a period of 04 weeks.

4. Learned counsel for the respondent states that this course of action is acceptable to the respondent in order to resolve the matter.
5. Furthermore, counsel states that as per the terms of the settlement, the respondent shall withdraw the criminal complaint pending under Section 138 of the Negotiable Instruments Act, 1881 in the court of the Metropolitan Magistrate, Shahdara District, Karkardooma Courts, Delhi, within 07 days of receiving the final sum of Rs.2,15,000/-
6. Accordingly the appellant is directed to pay the balance sum of Rs.2,15,000/- by way of a Demand Draft/Pay Order drawn in the name of the respondent within 04 weeks from today. The sum of Rs.1,12,000/- lying deposited in the Registry of this court in compliance of order dated 08.04.2019 shall be released to the respondent within 02 weeks from today.
7. The parties shall remain bound by the statements made by them in the court today. Counsel for the parties confirm that nothing further survives in this appeal.
9. The appeal and the pending applications are accordingly disposed of in the above terms.

ANUP JAIRAM BHAMBHANI, J

MARCH 13, 2020

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