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

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Judgment delivered on: 28.01.2020

+ C.R.P. 114/2019

M/S BIBA CHEM PVT LTD

..... Petitioner

versus

M/S BIRLA CARBON INDIA PVT LTD Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Pankaj Gupta, Advocate.

For the Respondent: Mr. Prabbal Mehrotra with Mr. Swapnil Tripathi,
Advocates.

Mr. Viapak Rai, AR of respondent.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

C.R.P. 114/2019 & CM APPL.22784/2019 (for interim relief), CM APPL.22785/2019 (for directions), CM APPL.3464/2020 (for directions)

1. Petitioner impugns judgment dated 03.05.2019, whereby, the objections, filed by the petitioner under Section 47 of the CPC to judgment and decree dated 22.07.2013, have been dismissed. Petitioner also impugns the warrants of attachment issued against the movable properties of the petitioner.

2. Parties were referred to mediation. Parties have settled their

disputes before the Delhi High Court Mediation and Conciliation Centre and settlement agreement dated 10.10.2019 has been executed.

3. Learned counsel for the parties confirm that the parties have settled their disputes.

4. Parties have also filed the subject application for placing on record the settlement terms. The application is duly supported by the affidavit of the Director of the petitioner Company as also the authorised representative of the respondent Company.

5. Settlement records that the respondent has a decree against the petitioner dated 22.04.1998 in the sum of Rs.6,71,676/- besides pendente lite and future interest and petitioner has a decree against the respondent dated 22.07.2013 in the sum of Rs.7,50,350.76 besides pendente lite and future interest.

6. It is agreed between the parties that the amounts payable under the respective decrees, in favour of the petitioner as well as the respondent will be set off against the claim of the other side and consequently, the claim of the petitioner under the decree dated 22.07.2013 and the claim of the respondent under the decree dated 22.04.1998 will be set off against each other and the decrees in the two respective proceedings would be treated as satisfied.

7. Learned counsel for the parties further submit that on satisfaction of the decree, no amount shall be left due as payable

against each other.

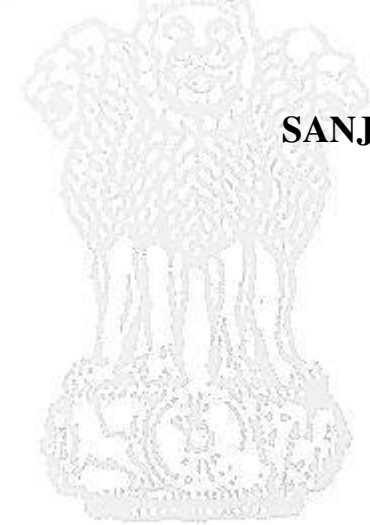
8. In view of the above, it is, accordingly, recorded that the judgment and decree dated 22.04.1998 in favour of the respondent and the judgment and decree dated 22.07.2013 in favour of the petitioner are recorded as satisfied.

9. Petition is, accordingly, disposed of in the above terms.

10. Order *Dasti* under signatures of the Court Master.

JANUARY 28, 2020
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SANJEEV SACHDEVA, J



सत्यमेव जयते