

\$~26

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

+ RFA 606/2019

M/S SAMEERA APPARELS

..... Appellant

Through: Mr.Atul Batra, Ms.Kyati Malik,
Advocates.

versus

M/S SUPER PACKAGING & ANR

..... Respondents

Through: Ms.Kamlakshi Singh, Mr.Saundarya
Singh, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **03.02.2020**

CM APPL.No. 4214/2020

This is an application under Order XXIII Rule 3 CPC filed by the appellant for withdrawal of the appeal on the ground the matter has been amicably settled between the parties vide settlement agreement dated 09.01.2020 entered into between the parties voluntarily and without any undue influence from any corner. The parties have settled their disputes in terms of clause *a)* to *i)* of the settlement agreement. It is stated as per the terms of the agreement the amount of Rs.3,07,755/- so deposited by the appellant in this Court and presently converted into an interest bearing FDR in the name of Registrar General of this Court may be released along with interest accrued thereupon in favour of respondent no.1. Further the respondent no.2 has also given a demand draft of Rs.2,00,000/- in the

name of respondent no.1 which has now been handed over to the learned counsel for respondent no.1.

In the circumstances the decree stands satisfied and thus the appeal stands dismissed as withdrawn. Pending application(s), if any, also stands disposed of. The earlier date given stands cancelled.

Since the matter has been amicably settled between the parties before the mediation centre, hence the appellant may get a refund of the Court fee as per the provisions of the Court fee Act.

No order as to costs.

YOGESH KHANNA, J.

FEBRUARY 03, 2020

DV