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

+ **RFA(OS)(COMM) 31/2019**

SPML INFRA LTD

.....Appellant

Through: Mr. Aayush Agarwala, Mr. Samrat
Sengupta & Ms. Preeti Nair, Advocates

versus

ZILLION INFRAPROJECTS PVT LTD & ORS

....Respondents

Through: Mr. Swati Bhushan Sharma & Mr.
Naveen Sharma, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **21.09.2020**

HEARD THROUGH VIDEO CONFERENCING.

CM APPL. 23297/2020 (by the appellant for bringing on record the Settlement Agreement dated 09.09.2020)

1. The present application has been moved by the appellant stating *inter alia* that during the pendency of the present appeal, the parties have arrived at an out of court settlement on 09.09.2020 whereunder, the appellant has agreed to pay a sum of Rs.1,62,00,000/- to the respondent in full and final settlement of all the claims of the respondent against the appellant.

2. Learned counsel for the parties jointly state that out of the agreed sum of Rs.1,62,00,000/-, a sum of Rs.56,70,000/- has already been paid by the appellant to the respondent at the time of execution of the Settlement Agreement dated 09.09.2020. As for the remaining sum of Rs.21,06,000/-, it has been agreed that the said amount shall be paid by the appellant to the respondent in five equal monthly instalments commencing from 10.10.2020 and ending on 10.02.2021.

3. Learned counsel for the parties state that a copy of the Settlement Agreement has been enclosed with the present application and they request that the same be taken on record.

4. In view of the fact that the counsel for the parties state that the parties have arrived at the settlement recorded in the Settlement Agreement dated 09.09.2020, of their own free will and volition and without any undue coercion or influence from either side and further, a part of the obligations under the Settlement Agreement have already been discharged by the appellant, there appears no impediment in accepting the Settlement Agreement, which is taken on record.

5. Accordingly, the application is allowed and disposed of in terms of the Settlement Agreement dated 9.9.2020 arrived at between the parties, while binding them to the terms and conditions recorded therein.

6. The appeal is also disposed of. The next date already fixed in the matter, stands cancelled.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

SEPTEMBER 21, 2020

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