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

+ **CM(M) 1386/2016 & CM APPL. 48211/2016**

GURMEET SINGH DHINGRA

..... Petitioner

Through: Mr. Jashinder Singh and Ms. Shipra
Shukla, Advocates. (M:9811232066)

versus

AKSHAY CHHABRA

..... Respondent

Through: Mr. Ajay Kohli and Ms. Priyanka
Ghorawat, Advocates.
(M:9899859189)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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10.02.2020

The parties have settled their disputes and have filed an application for taking on record the terms of settlement. The Respondent/Plaintiff (*hereinafter*, “*Plaintiff*”) had filed a suit for possession, recovery of rent and *mesne* profits in respect of premises No. AM-4, Mezzanine Floor, Dilkhush Industrial Estate, G.T. Karnal Road, Delhi. Vide judgment dated 5th March, 2013, a decree was passed in favour of the Plaintiff. An execution petition was filed by the Plaintiff claiming possession and recovery of the *mesne* profits. Possession of the property had already been handed over in February, 2016, thus, the only outstanding dispute was in respect of the *mesne* profits.

The parties have arrived at a settlement in respect of *mesne* profits, by which the Petitioner/Defendant (*hereinafter*, “*Defendant*”) has undertaken to pay a sum of Rs.2 lakhs in ten equal monthly instalments of Rs.20,000/-

each. The first instalment was payable on 25th January, 2020 for which a demand draft had been handed over today for a sum of Rs.20,000/-, which is duly acknowledged by the ld. counsel for the Plaintiff. The Defendant shall ensure that the remaining payments as per the terms of settlement are adhered to, and the payments are duly made, failing which para 7.2 of the agreement would come into effect.

Binding the parties to the settlement that has been arrived at, the petition is disposed of. If the settlement is not adhered to, the Plaintiff would be entitled to his remedies in accordance with law. The Defendant having undertaken to make the payments in terms of the settlement, if there is any failure to do so, consequences in law would follow. *Dasti*.

PRATHIBA M. SINGH, J.

FEBRUARY 10, 2020

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